



भारत का राजपत्र 'The Gazette of India'

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सं० 29]

नई दिल्ली, शनिवार, जुलाई 18, 1987/आषाढ़ 27, 1909

No. 29]

NEW DELHI, SATURDAY, JULY 18, 1987/ASADHA 27, 1909

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि वह अलग संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 3 जुलाई, 1987

का. आ. 1825.—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात् :—

1. (1) इन नियमों का संक्षिप्त नाम केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) तृतीय संशोधन नियम, 1987 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के अनुसूची में,—

(i) "केन्द्रीय सिविल सेवा, समूह "क" शीर्ष के साथ आने वाले भाग 1 में, क्रम सं. 44 के पश्चात् निम्नलिखित क्रम सं. और उससे संबंधित प्रविष्टियां अन्तः स्थापित की जाएंगी, अर्थात्:—

"45. केन्द्रीय सचिवालय राजभाषा सेवा (समूह "क")";

(ii) "केन्द्रीय सिविल सेवा, समूह "ख" शीर्ष के साथ आने वाले भाग 2 में क्रम सं. 1 के पश्चात् निम्नलिखित क्रम सं. और उससे संबंधित प्रविष्टियां अन्तः स्थापित की जाएंगी, अर्थात्:—

स्तम्भ	स्तम्भ	स्तम्भ	स्तम्भ	स्तम्भ
1	2	3	4	5
"1-क	केन्द्रीय सचिवालय राजभाषा सेवा समूह "ख"	राष्ट्रपति	राष्ट्रपति मंत्रालय या विभाग का सचिव	सभी (i)";

(iii) "केन्द्रीय सिविल सेवा समूह "ग" शीर्ष के साथ आने वाले भाग 3 में, क्रम सं. 4 के पश्चात् निम्नलिखित क्रम सं. और उससे संबंधित प्रविष्टियां अन्तः स्थापित की जाएंगी, अर्थात्:—

स्तम्भ	स्तम्भ	स्तम्भ	स्तम्भ	स्तम्भ	स्तम्भ
1	2	3	4	5	6
"5.	केन्द्रीय सचिवालय राजभाषा सेवा समूह "ग"	मंत्रालय या विभाग का सचिव	मंत्रालय या विभाग का संयुक्त सचिव/विभागाध्यक्ष	सभी (i) से (ii)	राष्ट्रपति मंत्रालय/विभाग का सचिव।"

[फा. सं. 11012/3/87-स्था. -(ए)]
ए. जय रामन, निदेशक

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS

(Department of Personnel & Training)

New Delhi, the 3rd July, 1987

S.O. 1825—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1965, namely:—

1. (1) These rules may be called the Central Civil Services (Classification, Control and Appeal) Third Amendment Rules, 1987.
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Schedule to the Central Civil Services, (Classification, Control and Appeal) Rules, 1965—
in Part I appearing with the heading “Central Civil Services, Group ‘A’,” after serial number 44, the following serial number and entry relating thereto shall be inserted, namely:—
“45, Central Secretariat Official Language Service (Group A)”;
- (ii) in Part II appearing with the heading “Central Civil Services, Group ‘B’ ” after serial number 1, the following serial number and entries relating thereto shall be inserted, namely:—

Column 1	Column 2	Column 3	Column 4	Column 5
“1—A	Central Secretariat Official Language Service Group ‘B’.	President	President Secretary in Ministry or Department.	All (i)”

- (iii) in Part III Appearing with the heading “Central Civil Services Group ‘C’ ”, after serial number 4, the following serial number and entries relating thereto shall be inserted, namely:—

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
“5.	Central Secretariat Official Language Service Group ‘C’.	Secretary in Ministry or Department.	Secretary in Ministry or Department. Joint Secretary in Ministry or Department/Head of Department.	All (i) to (iv)	President Secretary in Ministry/Department.”

[No.F.11012/3/87—Estt.(A)]

A. JAYARAMAN, Director

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 9 दिसम्बर, 1986

आयकर

का० आ० 1826—सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) (पैतीस/एक/दो) के प्रयोजनों के लिए “संगम” प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है:—

- (i) यह कि इण्डियन कैसर सोसायटी, जमशेदपुर अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक

वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

- (iii) यह कि उक्त संगम अपनी कूल आय तथा व्यय दशति हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दशति हुए तुलन-पत्र को एक-एक प्रति, प्रति वर्ष 30 जून तक विहित करेगा तथा इन दस्तावेजों में से प्रत्येक को एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगा।

- (iv) यह कि उक्त संगम केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व-विभाग) नई दिल्ली, को अनुमोदन की समाप्ति के तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना पत्र रद्द कर दिया जाएगा।

संस्था

“इण्डियन कैसर सोसायटी, जमशेदपुर ब्रांच, स्टॉकिंग रोड, जमशेदपुर बिहार-831001,”

यह अधिसूचना 24-10-1986 से 31-3-1988 तक की प्रवृत्ति के लिए प्रभावी है।

[सं० 7027 (फा० सं० 203/128/86-आ० का० नि०-II)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 9th December, 1986

INCOME-TAX

S.O. 1826.—It is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty Five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions :—

- (i) That the Indian Cancer Society, Jamshedpur will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 30th April each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the concerned Commissioner of Income-tax.
- (iv) That the said Association will apply to Central Board of Direct Taxes, Ministry of Finance, (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

"India Cancer Society, Jamshedpur Branch, Stocking Road, Jamshedpur, Bihar-831001".

This notification is effective for a period from 24-10-1986 to 31-3-1988.

[No. 7027 (F. No. 203/128/86-ITA-II)]

नई दिल्ली, 27 मार्च, 1987

आयकर

क्रमांक 1827—इस कठिनाई की दिनांक 1-11-85 की अधिसूचना सं० 6487 (फा० सं० 203/225/84-आ० का० नि०-II) के सिद्धि में, सर्वसाधारण, की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खण्ड (ii) (पैरोस/एक/दो) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अंतर्गत निम्नलिखित शर्तों पर अनुमति दी है :—

- (i) यह कि प्रॉल इण्डिया हार्ट फाउंडेशन, नई दिल्ली अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि उक्त संस्था अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक

वित्तीय वर्ष के संबंध में प्रति वर्ष 30 अप्रैल, तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकाधिक किया जाए और उसे सूचित किया जाए।

- (iii) यह कि उक्त संस्था अपनी कुल आय तथा व्यय दशा से हुए, अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियों-देनदारियों दशा से हुए, तुलन-पत्र की एक-एक प्रति प्रति वर्ष, 30 जून, तक विहित प्राधिकारी को प्रस्तुत करेगा, तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति संबंधित आयकर आयुक्त को भेजेगी।
- (ix) यह कि उक्त संस्था केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व-विभाग) नई दिल्ली का अनुमति की सहायता से तीन माह पूर्व भारत अधि बहाने के लिए आवेदन करेगा आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्राप्ति पर रद्द कर दिया जाएगा।

- (v) रोगियों की देखभाल और अस्पताल वरन्दायिक के अलावा जैसे गैर अनुसंधान उद्देश्यों पर किया गया व्यय धारा 35 (i) (ii) के अन्तर्गत शामिल नहीं किया जाएगा जिसके लिए पृथक से खाता रखा जाना चाहिए।

(-i) यह कि सोसायटी, प्लॉट नं० 40-ए, बम्बुगिरी सेक्टर, ईस्ट आफ कैलाश, नई दिल्ली स्थित और उससे संबंधित नेशनल हार्ट इंस्टीट्यूट प्रोजेक्ट के अन्तर्गत कोई पारसम्पत्ति नहीं रखेगी।

संस्था

"प्रॉल इण्डिया हार्ट फाउंडेशन, 8474 (प्रथम तल) अंतारी रोड, 24 दरियागज, नई दिल्ली-110002,"

यह अधिसूचना 1-1-1987 से 31-12-1987 तक की अवधि के लिए प्रभावी है।

[सं० 7205 (फा० सं० 2043/240/86-आ० का० नि०-II)]

New Delhi, the 27th March, 1987

INCOME-TAX

S.O. 1827.—In continuation of this Office Notification No. 6487 (F. No. 203/225/84-ITA-II) dated 1-11-1985, it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category Institution subject to the following conditions :—

- (i) That the All India Heart Foundation, New Delhi, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institution will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institution will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said Institution will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

- (v) Expenditure incurred on non-research objects such as patients care maintenance of Hospital staff will not be covered U/s 35(1)(ii) for which a separate account should be maintained

- (vi) That the Society will not add any assets under the project National Heart Institute at and related to Plot No 49-A Community Centre East of Kailash, New Delhi

INSTITUTION

All India Heart Foundation 4874, (First Floor), Anand Road 24 Daryaganj, New Delhi 110002

This Notification is effective for a period from 1-1-1987 to 31-12-1987

[No 7205 (F No 203/240/86 ITA II)]

नई दिल्ली, 30 मार्च, 1987

आयकर

क्र० आ 1828—इस कार्यालय की दिनांक 18-2-1987 की अधिसूचना सं० 5640 (फा० सं० 203/81-आ०क०नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात्, वैज्ञानिक और औद्योगिक अनुसंधान विभाग नई दिल्ली ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के माथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) (पैसि/एक/दा) के प्रयोजनों के लिए "संगम प्रयोग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है—

- (i) यह कि संगम इन्स्टीट्यूट ऑफ एक्सपेरिमेंटल बायोलॉजी, सलम अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पूषक लेखा रखेगा।

- (ii) यह कि उक्त संगम अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणों विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के समाप्त में प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

- (iii) यह कि उक्त संगम अपनी कुल आय तथा व्यय वार्षिक रूप से अपनी वार्षिक लेखों की तथा अपनी परिसम्पत्तिया, देनदारियां वगैरह द्वारा तुलन-पत्र की एक-एक प्रति प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक व एक-एक प्रति वार्षिक प्रत्यक्ष कर बाई नई दिल्ली और माधित आयकर आगम को भेजेगा।

- (iv) यह कि उक्त संगम केन्द्रीय प्रत्यक्ष कर बोर्ड वित्त मंत्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की पत्रावलि से तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्राप्ति पर रद्द कर दिया जाएगा।

संस्था

सलम इन्स्टीट्यूट ऑफ एक्सपेरिमेंटल बायोलॉजी, 49 पॉल फिलाथ स्ट्रीट फोर्ट, सेलम, तमिलनाडु-636001

यह अधिसूचना 1-1-1984 से 31-3-1987 तक की अवधि के लिए प्रभावी है।

[सं० 7207 (फा० सं० 203/115/84-आ०क०नि०-II)]

New Delhi, the 30th March, 1987

INCOME-TAX

S.O. 1828—In continuation of this Office Notification No 3869 (F No 203/81-ITA II) dated 19-2-1981, it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of subsection (1) of Section 35 (Thirty five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules 1962 under the category Association subject to the following conditions—

- (i) That the Salem Institute of Experimental Biology, Salem will maintain a separate account of the sums received by it for scientific research

- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.

- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.

- (iv) That the said Association will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

Salem Institute of Experimental Biology, 49, Paul Phillai Street, Fort Salem, Tamil Nadu-636001

This Notification is effective for a period from 3-1-1984 to 31-3-1987

[F. No 7207(I No 203/115/84-ITA II)]

आयकर

क्र० आ० 1829—इस कार्यालय की दिनांक 16-2-1984 की अधिसूचना सं० 5640 (फा० सं० 203/117/83 आ०क०नि०-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के माथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (ii) (पैसि/एक/दा) के प्रयोजनों के लिए विश्वविद्यालय प्रयोग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है—

- (i) यह कि मातार विश्वविद्यालय संगमोर अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पूषक लेखा रखेगा।

- (ii) यह कि उक्त विश्वविद्यालय अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणों, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के समाप्त में प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

- (iii) यह कि उक्त विश्वविद्यालय अपनी कुल आय तथा व्यय वार्षिक रूप से अपनी वार्षिक लेखों की तथा अपनी परिसम्पत्तिया, देनदारियां वगैरह द्वारा तुलन-पत्र की एक-एक प्रति प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा।

तथा इन वस्तुओं में से प्रत्येक को एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली और संबंधित आयकर आयुक्त को भेजेगा।

(iv) यह कि उक्त विश्वविद्यालय केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त-मंत्रालय (राजस्व-विभाग) नई दिल्ली को अनुमोदन की समाप्ति से तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदनपत्रस्तु करने में किसी प्रकार की देरी होने पर प्रार्थना-पत्र रद्द कर दिया जाएगा।

संस्था

"मंगलोर विश्वविद्यालय, लाईट हाउसहिल, मंगलोर-575003,"

यह अधिसूचना 17-9-1986 से 31-3-1989 तक की अवधि के लिए प्रभावी है।

[सं. 7209 (फा. सं. 203/33/87-मा.कं.नि.०-II)]

INCOME-TAX

S.O. 1829.—In continuation of this Office Notification No. 5640 (F. No. 203/117/83-ITA.II) dated 16-2-1984, it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "University" subject to the following conditions:—

- (i) That the Mangalore University, Mangalore will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said University will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said University will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said University will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

"Mangalore University, Light House Hill, Mangalore-575003."

This Notification is effective for a period from 17-9-1986 to 31-3-1989.

[No. 7209 (F. No. 203/33/87-ITA.II)]

नई दिल्ली, 3 अप्रैल, 1987

आयकर

फा. सं. 1830:—इस कार्यालय की दिनांक 27-3-1979 की अधिसूचना सं. 2755 (फा. सं. 203/141/78-मा.कं.नि.०-III) के शिल्लिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग, नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 8 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खंड (iii) (पैरोस/एक/तीन) के प्रयोजनों के लिए 'संस्था' प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है:—

- (i) यह कि उक्त इण्डिया फाउण्डेशन फॉर डेवलपमेंट, मणिपाल (कर्नाटक) अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त की पुथक लेखा रखेगा।

(ii) यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।

(iii) यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरोक्षित वार्षिक लेखों की तथा अपनी परिसम्पत्तियों बेनदारियां दर्शाते हुए गुलन-पत्र को एक-एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन वस्तुओं में से प्रत्येक को एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली तथा संबंधित आयकर आयुक्त को भेजेगा।

संस्था

"इण्डिया फाउण्डेशन फॉर डेवलपमेंट, 13 अनंत नगर, मणिपाल-576119,"

यह अधिसूचना 1-4-1982 से 31-12-1985 तक की अवधि के लिए प्रभावी है।

[सं. 7218 (फा. सं. 203/58/85-मा.कं.नि.०-II)]

New Delhi, the 3rd April, 1987

INCOME-TAX

S.O. 1830.—In continuation of this Office Notification No. 2755 (F. No. 203/141/78-ITA.II) dated 27-3-1979 it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (iii) of sub-section (1) of Section 35 (Thirty five/One/Three) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category Institution subject to the following conditions:—

- (i) That the India Foundation For Development, Manipal (Karnataka), will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.

INSTITUTION

India Foundation For Development, 13, Anant Nagar, Manipal-576119.

This Notification is effective for a period from 1-4-1982 to 31-12-1985.

[No. 7218 (F. No. 203/58/85-ITA.II)]

आयकर

फा. सं. 1831:—सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि वित्त मंत्रालय (राजस्व विभाग) की दिनांक 29-6-1967 की अधिसूचना फा. सं. 2247 (फा. सं. 10/27/67 प्रा. क. नि.-1) द्वारा बिरला प्लेनेटोरियम एण्ड एस्ट्रोनिमिकल रिसर्च सेंटर, कलकत्ता को आयकर अधिनियम, 1961 की धारा 35(i) (ii) के अधीन किया गया स्थाई अनुमोदन निम्नलिखित शर्तों पर समयबद्ध

अनुमोदन में परिवर्तित किया जा रहा है जो कि 31-3-1988 तक वैध होगा।

नई दिल्ली, 6 अप्रैल, 1987

आयकर

- (क) यह कि सेक्टर अपने वैज्ञानिक अनुसंधान के लिए उसका प्रेष होने वाली राशियों का पृथक लेखा रखेगा।
- (ख) यह अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को पिछले वर्ष के सत्र के समाप्ति के 31 मई तक निर्धारित प्रपत्र में प्रस्तुत करेगा।
- (ग) यह अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित लेखों की तथा अपनी परिसम्पत्तियों के वार्षिक वृत्ति हुए तुलन-पत्र की एक-एक प्रति प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली और सम्बन्धित आय-कर अधिकारी को भेजेगा।
- (घ) यह, अवधि बढ़ाने के लिए वित्त मन्त्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की समिति से तीन माह पूर्व आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना पत्र रद्द किया जा सकता है।
- (ङ) यह, धारा 35 (1) (ii) के अन्तर्गत शैक्षिक संस्थाओं के रख-रखाव इसके साथ-साथ बिरला प्लानेटोरियम को चलाने और उसमें रख-रखाव जैसे गैर-अनुसंधान क्रियाकलापों पर हस्तक्षेप करने के लिए कोई राशि प्राप्त नहीं करेगा।

[स. 7217 (फा. सं. 203/34/87-आ. क. नि. -II)]

INCOME-TAX

S.O. 1831—It is hereby notified for general information that the approval on perpetual basis granted under section 35(1)(ii) of the Income-tax Act, 1961 vide Ministry of Finance (Department of Revenue) Notification S.O. No. 2247 (F. No. 10/27/67 ITA I) dated 29-6-1967 to the Birla Planetarium and Astronomical Research Centre, Calcutta is hereby converted into a time bound approval valid upto 31-3-1988 subject to the following conditions—

- (a) That the Centre will maintain a separate account of the sums received by it for scientific research
- (b) That it will furnish Annual Return of its previous year regarding its scientific research activities to the Prescribed Authority in the prescribed format by 31st May, each year
- (c) It will submit to the Prescribed Authority by 30th June each year a copy of their audited accounts showing their total income and expenditure and balance sheet showing its assets and liabilities with a copy of each of these documents to the Central Board of Direct Taxes and the concerned Commissioner of Income-tax.
- (d) It will apply to Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected
- (e) It will not receive any sum to be used for non-research activities such as maintenance of educational institutions as well as running and maintenance of Birla Planetarium under section 35(1)(ii).

[No. 7217 (F. No. 203/34/87-ITA II)]

का. आ. 1832—इस कार्यालय की दिनांक 18-4-1986 की अधिसूचना सं. 6668 (फा. सं. 203/83/86-आ. क. नि.-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए पुनः ध्यान अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग, नई दिल्ली, ने निर्धारित, प. नं. को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (1) के खंड (ii) (पैरामि/एक/आ) के प्रवाजनों के लिए "समय" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है

- (1) यह कि डालमिया इंस्टीट्यूट ऑफ साइंटिफिक एण्ड इण्डस्ट्रियल रिसर्च राजगजपुर, उड़ीसा, अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (2) यह कि उक्त समूह अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी का प्रत्येक वित्तीय वर्ष के समाप्ति के 31 मई तक उसे प्रस्तुत करेगा जो इस प्रवाजन के लिए अधिकृत किया जाएगा और उसे सूचित किया जाएगा।
- (3) यह कि उक्त समूह अपनी कुल आय तथा व्यय दर्शाते हुए, अपने संपरीक्षित वार्षिक लेखा की तथा अपने परिसम्पत्तियों, देनदारियों वृत्ति हुए तुलन-पत्र की एक-एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली और संबंधित आयकर अधिकारी को भेजेगा।
- (4) यह कि उक्त समूह कक्षाएं प्रत्यक्ष कर बोर्ड, वित्त मन्त्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की समिति से तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना पत्र रद्द कर दिया जाएगा।

संस्था

"डालमिया इंस्टीट्यूट ऑफ साइंटिफिक एण्ड इण्डस्ट्रियल रिसर्च, राजगजपुर, जिला-सुंदरगढ़, उड़ीसा-770017,"

यह अधिसूचना 1-1-1987 से 31-12-1987 तक की अवधि के लिए प्रभावी है।

[स. 7222 (फा. सं. 203/241/86-आ. क. नि. -II)]

New Delhi, the 6th April, 1987

INCOME-TAX

S.O. 1832—In continuation of this Office Notification No. 6668 (F. No. 203/83/86-ITA II) dated 18-4-1986, it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Association" subject to the following conditions:—

- (i) That the Dalmia Institute of Scientific and Industrial Research, Rajgangpur, Orissa, will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year

(iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.

(iv) That the said Association will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

Dalmia Institute of Scientific and Industrial Research, Rajgangpur, Distt. Sundargarh, Orissa-770017.

This Notification is effective for a period from 1-1-1987 to 31-12-1987.

[No. 7222 (F. No. 203/241/86-ITA.II)]

आयकर

का. भा. 1833—इस कार्यालय की दिनांक 17-7-1983 की अधिसूचना सं. 4807 (फा. सं. 203/44/82-आ. क. नि.-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग, नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खंड (ii) (पैतीस/एक/दो) के प्रयोजनों के लिए "संगम" प्रकार के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है:

- (1) यह कि सेंटर फार वाटर रिसोर्सिज डिबेलपमेंट एण्ड मैनेजमेंट, कुन्नामंगलम् (केरल) अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (2) यह कि उक्त संगम अपने वैज्ञानिक संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।
- (3) यह कि उक्त संगम अपनी कुल आय तथा व्यय दर्शाते हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियों, देनदारियों दर्शाते हुए तुलना-पत्र की एक-एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन वार्षिक लेखों में से प्रत्येक की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली और संबंधित आयकर आयुक्त को भेजेगा।
- (4) यह कि उक्त संगम केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की मरहिन के तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदन प्रस्तुत करने में किरी प्रकार की देरी होने पर आवेदन-पत्र रद्द कर दिया जाएगा।

संस्था

"सेन्टर फार वाटर रिसोर्सिज डिबेलपमेंट एण्ड मैनेजमेंट, कुन्नामंगलम्, (एम. बी. आर.) कोझिकूर केरल-673 571," यह अधिसूचना 15-5-1985 से 31-3-1988 तक की अवधि के लिए प्रभावी है।

[सं. 7220 (फा. सं. 203/186/86-आ. क. नि.-II)]

INCOME-TAX

S.O. 1833.—In continuation of this Office Notification No. 4807 (F. No. 203/44/82-ITA. II) dated 17-7-1983 it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules 1962 under the category "Association" subject to the following conditions:—

- (i) That the Centre for Water Resources Development and Management, Kunnammangalam (Kerala) will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Association will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Association will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said Association will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

Centre for Water Resources Development and Management, Kunnammangalam (MBR) Kozhikoor, Kerala-673571.

This Notification is effective for a period from 15-5-1985 to 31-3-1988.

[No. 7220 (F. No. 203/186/86-ITA. II)]

नई दिल्ली, 29 अप्रैल, 1987

आयकर

का. भा. 1834.—इस कार्यालय की दिनांक 25-10-85 की अधिसूचना सं. 6471 (फा. सं. 203/137/85-आ. क. नि.-II) के सिलसिले में, सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग, नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खंड (ii) (पैतीस/एक/दो) के प्रयोजनों के लिए "संस्था" प्रकार के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है:

- (1) यह कि चाइल्ड्स ट्रस्ट मेडिकल रिसर्च फाउंडेशन, मदरास अपने वैज्ञानिक अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (2) यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 31 मई तक ऐसे प्ररूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।
- (3) यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाते हुए अपनी संपरीक्षित वार्षिक लेखों की तथा अपनी परिसंपत्तियों, देनदारियों दर्शाते हुए तुलना-पत्र की एक-एक प्रति, प्रति वर्ष

30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली तथा संबंधित आयकर आयुक्त को भेजेगा।

- (4) यह कि उक्त संस्थान अनुमोदन की समाप्ति से तीन माह पूर्व और अवधि बढ़ाने के लिए केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व विभाग) नई दिल्ली को आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना-पत्र रद्द कर दिया जाएगा।

संस्था

"चाइल्ड्स ट्रस्ट मेडिकल रिसर्च फाउण्डेशन, 12-ए, न. गेस्वर रोड, नंगम बक्कम, मद्रास-600034.

यह अधिसूचना, 1-1-1987 से 31-3-1988 तक की अवधि के लिए प्रभावी है।

[सं. 7262 (फा. सं. 203/47/87-आ. क. नि.-II)]

New Delhi, the 29th April, 1987

INCOME-TAX

S.O. 1834.—In continuation of this Office Notification No. 6471 (F. No. 203/137/85-ITA.II) dated 25-10-85 it is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (ii) of sub-section (1) of Section 35 (Thirty Five/One/Two) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions:—

- (i) That the Child's Trust Medical Research Foundation Madras will maintain separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 20th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said Institute will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue) New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTIONS

Child's Trust Medical Research Foundation, 12-A, Nageswara Road, Nungam Baklani, Madras-600034

This Notification is effective for a period from 1-1-1987 to 31-3-1988.

[No. 7262 (F. No. 203/47/87-ITA.II)]

नई दिल्ली, दिनांक 1 मई, 1987

आयकर

का. भा. 1835. सर्वसाधारण की जानकारी के लिए एतद्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग, नई दिल्ली, ने निम्नलिखित संस्था को आयकर

नियम 1962 के नियम 6 के साथ पठित आयकर अधिनियम 1961 की धारा 35 की उपधारा (i) के खंड (iii) (थीतीस/एक/तीन) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है।

- (1) यह कि पैन एशियन मैनेजमेंट एण्ड रूरल रिसर्च ऑर्गेनाइजेशन, नई दिल्ली अपने वैज्ञानिक और अनुसंधान के लिए उसके द्वारा प्राप्त राशियों का पृथक् लेखा रखेगा।
- (2) यह कि संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रियाकलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के संबंध में प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो हस्त प्रयोजन के लिए अधिकृत किया जाए और उसे सूचित किया जाए।
- (3) यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दशति रूप अपने मंजूरिहित वार्षिक लेखों की तथा अपनी परिसंपत्तियों, देनदारियों दशति रूप तुलन-पत्र की एक एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली तथा संबंधित आयकर आयुक्त को भेजेगा।
- (4) यह कि उक्त संस्थान अनुमोदन की समाप्ति से तीन माह पूर्व और अवधि बढ़ाने के लिए केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व-विभाग) नई दिल्ली को आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना-पत्र रद्द कर दिया जाएगा।

संस्था

"पैन एशियन मैनेजमेंट एण्ड रूरल रिसर्च ऑर्गेनाइजेशन, 3सी/22 रोहताक रोड, नई दिल्ली-110065.

यह अधिसूचना 28-2-1987 से 31-3-1988 तक की अवधि के लिए प्रभावी है।

[सं. 7268 (फा. सं. 203/123/86-आ. क. नि.-II)]

वाई. के. बत्रा, प्रवर सचिव

New Delhi, the 1st May, 1987

INCOME-TAX

S.O. 1835.—It is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (iii) of sub-section (1) of Section 35 (Thirty five/One/Three) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions:—

- (i) That the Pan Asian Management and Rural Research Organisation, New Delhi will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.

(iv) That the said Institute will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 5 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

का प्रयोग करने हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ "श्री जैन श्वेताम्बर नकोदा परमनाथ तिरथ, मेवातगर" को कर-निर्धारण वर्ष 1985-86 से 1987-88 के लिए अधिसूचित करती है।

[सं. 7257 (फा. सं. 197-ए/216/82-आ. क. नि.-1)]

राशन भण्डार, अन्न सचिव

INSTITUTION

Pan Asian Management and Rural Research Organisation,
3C/22, Rohtak Road, New Delhi-110005.

This Notification is effective for a period from 28-2-1987 to 31-3-88.

[No. 7266 (F. No. 203/123/86-ITA-11)]

Y. K. BATRA, Under Secy.

नई दिल्ली, 18 मार्च, 1987

(आयकर)

का. भा. 1836—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उप-धारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ "श्री रागीगुदादा श्री प्रसन्ना अजानेया स्वामी भक्त मण्डली ट्रस्ट, बंगलोर" को कर-निर्धारण वर्ष 1985-86 से 1987-88 के लिए अधिसूचित करती है।

[सं. 7183 (फा. सं. 197/31/85-आ. क. नि.-1)]

New Delhi, the 18th March, 1987

(INCOME-TAX)

S.O. 1836.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Sri Ragigudada Sri Prasanna Anjanaya Swamy Bhakhta Mandal Trust, Bangalore" for the purpose of the said clause for the assessment years 1985-86 to 1987-88.

[No. 7183 (F. No. 197/31/85-ITA-1)]

नई दिल्ली, 19 मई, 1987

(आयकर)

का. भा. 1837—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उप-धारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खण्ड के प्रयोजनार्थ, "अरुलमिगु शक्ति विनयागर टेम्पल, चिंगलिपुट, मद्रास" को कर निर्धारण वर्ष 1985-86 से 1987-88 के लिए अधिसूचित करती है।

[सं. 7300 (फा. सं. 197/18/87-आ. क. नि.-1)]

New Delhi, the 19th May, 1987

(INCOME-TAX)

S.O. 1837.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Arulmigu Sakthi Vinayagar Temple, Chingleput, Madras" for the purpose of the said clause for the assessment years 1985-86 to 1987-88.

[No. 7300 (F. No. 197/18/87-ITA-1)]

नई दिल्ली, 24 अप्रैल, 1987

(आयकर)

का. भा. 1838—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उप-धारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों 576 G of 1187-2.

New Delhi, the 24th April, 1987

(INCOME-TAX)

S.O. 1838.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shri Jain Swetambir Nakoda Paraswanath Tirath, Mewanagar" for the purpose of the said clause for the assessment years 1985-86 to 1987-88.

[No. 7257 (F. No. 197A/216/82-IT(A1))]

ROSHAN SAKHAI, Under Secy.

नई दिल्ली, 10 अप्रैल, 1987

(आयकर)

का. भा. 1839—पर्वनाधारण की जानकारी के लिए, एतद्वारा अधिसूचित किया जाता है कि वित्त मन्त्रालय (राजस्व और भोगा विभाग) की दिनांक 19-2-1974 की अधिसूचना सं. 562 (फा. सं. 203/65/73-आ. क. नि.-II) द्वारा श्री ए. एम. एम. मुरुगप्पा छेत्तिवार रिमच सेंटर, मद्रास को आयकर अधिनियम, 1961 की धारा 35 (1) (ii) के अंतर्गत दिया गया स्थायी अनुमोदन निम्नलिखित शर्तों पर सम्यक् अनुमोदन में परिवर्तित किया जाता है जो कि 31-3-1988 तक वैध होगा—

(i) यह कि श्री ए. एम. एम. मुरुगप्पा छेत्तिवार रिमच सेंटर, मद्रास अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशिगो का पृथक् लेखा रखेगा।

(ii) यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान सम्बन्धी क्रियाकलापों की वार्षिक विवरणी, विहित प्राधिकारी को प्रत्येक वित्तीय वर्ष के सम्बन्ध में प्रति वर्ष 31 मई तक ऐसे प्रेषण में प्रस्तुत करेगा जो इन प्रयोजन के लिए अभिकथित किया जाए और उसे सूचित किया जाए।

(iii) यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाने हुए अपने संपरीक्षित वार्षिक लेखों की तथा अपनी परिसम्पत्तियों, देनदारिया दर्शाने हुए वृत्त-पत्र की एक-एक प्रति प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड नई दिल्ली और सम्बन्धित आयकर आयुक्त का भेजेगा।

(iv) यह कि उक्त संस्थान अग्रिम वृद्धि के लिए केन्द्रीय प्रत्यक्ष कर बोर्ड वित्त मन्त्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की महापत्र में तीन माह पूर्व और आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्राप्ति-पत्र रद्द किया जा सकता है।

[सं. 7241 (फा. सं. 203/61/87-आ. क. नि.-II)]

New Delhi, the 10th April, 1987

(INCOME-TAX)

S.O. 1839.—It is hereby notified for general information that the perpetual approval granted under section 35 (1) (ii) of the Income-tax Act, 1961 to Shri A.M. Murugappa Chettiar Research Centre, Madras vide Ministry of Finance (Department of Revenue and Insurance) Notification No. 562 (F. No. 203/65/73-ITA, II) dated 19-2-1974 is hereby

converted into time bound approval valid upto 31-3-1988 subject to the following conditions :—

- (i) That Shri A.M.M. Murugappa Chettar Research Centre, Madras will maintain a separate account of the sums received by it for scientific research
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and balance sheet, showing its assets liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said Institute will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

[No. 7241 (F. No. 203/61/87-ITA. II)]

(आयकर)

का. आ. 1440—सर्वसाधारण की जानकारी के लिए एनड्वारा अधिसूचित किया जाता है कि विहित प्राधिकारी, अर्थात् वैज्ञानिक और औद्योगिक अनुसंधान विभाग नई दिल्ली, ने निम्नलिखित संस्था को आयकर नियम, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (iii) (पैसम/एक/तान) के प्रयोजनों के लिए "संस्था" प्रवर्ग के अधीन निम्नलिखित शर्तों पर अनुमोदित किया है :—

- (i) यह कि इन्स्टीट्यूट ऑफ कम्पनी सेक्ट्रेट्रीज, नई दिल्ली अपने वैज्ञानिक अनुसंधान के लिए स्वयं द्वारा प्राप्त राशियों का पृथक लेखा रखेगा।
- (ii) यह कि उक्त संस्थान अपने वैज्ञानिक अनुसंधान संबंधी क्रिया-कलापों की वार्षिक विवरणी विहित प्राधिकारी को प्रत्येक वित्तीय वित्तीय वर्ष के संबंध में प्रति वर्ष 31 मई तक ऐसे प्रारूप में प्रस्तुत करेगा जो इस प्रयोजन के लिए अधिस्थित किया जाएगा और उसे सूचित किया जाए।
- (iii) यह कि उक्त संस्थान अपनी कुल आय तथा व्यय दर्शाने हुए अपने संवरीक्षित लेखों की तथा अपनी परिसंपत्तियां, देनदारियां दर्शाने हुए तुलन-पत्र को एक-एक प्रति, प्रति वर्ष 30 जून तक विहित प्राधिकारी को प्रस्तुत करेगा तथा इन दस्तावेजों में से प्रत्येक की एक-एक प्रति केन्द्रीय प्रत्यक्ष कर बोर्ड नई दिल्ली और संबंधित आयकर आयुक्त को भेजेगा।
- (iv) यह कि उक्त संस्थान केन्द्रीय प्रत्यक्ष कर बोर्ड, वित्त मंत्रालय (राजस्व विभाग) नई दिल्ली को अनुमोदन की सभाप्ति में तीन माह पूर्व और अवधि बढ़ाने के लिए आवेदन करेगा। आवेदन प्रस्तुत करने में किसी प्रकार की देरी होने पर प्रार्थना-पत्र रद्द कर दिया जाएगा।

संस्था

"द इन्स्टीट्यूट ऑफ कम्पनी सेक्ट्रेट्रीज, प्राई. सी. एस. आई. हाऊस, 22, इन्स्टीट्यूशनल एरिया, लोधी रोड, नई दिल्ली-110003"

यह अधिसूचना 17-2-1987 से 31-3-1988 तक की अवधि के लिए प्रभावी है।

[सं. 7243 (फा. सं. 203/221/86-आ. क. नि. -II)]

(श्रीमति) एस. बसु, उप सचिव

INCOME TAX

S.O. 1840.—It is hereby notified for general information that the Institution mentioned below has been approved by Department of Scientific and Industrial Research, New Delhi, the Prescribed Authority for the purposes of clause (iii) of sub-section (1) of Section 35 (Thirtyfive/One/Three) of the Income-tax Act, 1961 read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions:—

- (i) That the Institute of Company Secretaries, New Delhi will maintain a separate account of the sums received by it for scientific research.
- (ii) That the said Institute will furnish annual returns of its scientific research activities to the Prescribed Authority for every financial year in such forms as may be laid down and intimated to them for this purpose by 31st May each year.
- (iii) That the said Institute will submit to the Prescribed Authority by 30th June each year a copy of their audited annual accounts showing their total income and expenditure and Balance Sheet, showing its assets, liabilities with a copy of each of these documents to the Central Board of Direct Taxes, New Delhi and the concerned Commissioner of Income-tax.
- (iv) That the said Institute will apply to Central Board of Direct Taxes, Ministry of Finance (Department of Revenue), New Delhi, 3 months in advance before the expiry of the approval for further extension. Applications received after the date of expiry of approval are liable to be rejected.

INSTITUTION

"The Institute of Company Secretaries ICSI House, 22, Institutional Area, Lodhi Road, New Delhi-110003."

This Notification is effective for a period from 17-2-1987 to 31-3-1988.

[No. 7243 (F. No. 203/221/86-ITA-II)]

(Mrs.) S. BASU, Dy. Secy.

नई दिल्ली, 19 मई, 1987

(आयकर)

का. आ. 1811—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एनड्वारा उक्त खण्ड के प्रयोजनार्थ, "दि कोयम्बटूर श्री अय्यप्पा सेवा संगम" को कर निर्धारण वर्ष 1984-85 से 1987-88 के लिए अधिसूचित करती है।

[सं. 7301 (फा. सं. 197/54/86-आ. क. नि. -I)]

New Delhi, the 19th May, 1987

(INCOME-TAX)

S.O. 1841.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Coimbatore Sree Ayyappa Seva Sangham" for the purpose of the said clause for the assessment years 1984-85 to 1987-88.

[No. 7301 (F. No. 197/54/86-IT) (A1)]

का. आ. 1842—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23-ग) के खण्ड (v) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एनड्वारा उक्त खण्ड के प्रयोजनार्थ, "श्री कावेने मठ सन्स्थान, बम्बई, को कर निर्धारण वर्ष 1985-86" से 1987-88 तक के लिए अधिसूचित करती है।

[सं. 7297 (फा. सं. 197-ए/11/82-आ. का.) (नि. -1)]

दत्ता मिश्र, विशेष कार्य अधिकारी

S.O. 1842.—In exercise of the powers conferred by clause (v) of sub-section (23C) of Section 13 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Kavle Math Samsthan, Bombay" for the purpose of the said clause for the assessment years 1985-86 to 1987-88.

[7297/F. No. 197A/11/82-IT(A1)]

DALIP SINGH, Officer on Special Duty

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 30 जून, 1987

का. घा. 1843.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री के. डी. खन्ना तत्काल पंजाब नेशनल बैंक के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[संख्या एक. 9/3/87-बी.ओ.-I(1)]

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 30th June, 1987

S.O. 1843.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government has decided that Shri K. D. Khanna shall cease to hold the office of Director on the Board of Directors of Punjab National Bank with immediate effect.

[No. F. 9/3/87-BO.I(1)]

का. घा. 1844.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री ए. पी. त्रिवेदी तत्काल देना बैंक के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[संख्या एक. 9/3/87-बी. ओ.-I(2)]

S.O. 1844.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government has decided that Shri A. P. Trivedi shall cease to hold the office of Director on the Board of Directors of Dena Bank with immediate effect.

[No. F. 9/3/87-BO.I(2)]

का. घा. 1845.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री के. के. नायर तत्काल बैंक आफ बड़ोदा के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[संख्या एक. 9/3/87-बी. ओ.-1(3)]

S.O. 1845.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government has decided that Shri K. K. Nair shall cease to hold the office of Director on the Board of Directors of Bank of Baroda with immediate effect.

[No. F. 9/3/87-BO I(3)]

का. घा. 1846.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री आशीष कुमार शंख तत्काल इलाहाबाद बैंक के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[सं. एक. 9/3/87-बी.ओ.-I(4)]

S.O. 1846.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government has decided that Shri Ashish Kumar Ghosh shall cease to hold the office of Director on the Board of Directors of Allahabad Bank with immediate effect.

[No. F. 9/3/87-BO. I(4)]

का. घा. 1847.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री आर. वी. गोडबोले तत्काल बैंक आफ महाराष्ट्र के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[सं. एक. 9-3/87-बी.ओ. I(5)]

S.O. 1847.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government has decided that Shri R. V. Godbole shall cease to hold the office of Director on the Board of Directors of Bank of Maharashtra with immediate effect.

[No. F. 9/3/87-BO.I(5)]

का. घा. 1848.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खण्ड 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार यह निर्णय लेती है कि श्री बी. मनीषचन्द्र राव तत्काल कॉर्पोरेशन बैंक के निदेशक बोर्ड के निदेशक नहीं रहेंगे।

[संख्या एक. 9/3/87-बी. ओ.-I(6)]

एम. एस. हवूरकर निदेशक

S.O. 1848.—In exercise of the powers conferred by clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government has decided that Shri B. Manishchandra Rao shall cease to hold the office of Director on the Board of Directors of Corporation Bank with the immediate effect.

[No. F. 9/3/87-BO.I(6)]

S.S. HASURKAR, Director

नई दिल्ली, 1 जुलाई, 1987

का. घा. 1849.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 की धारा 9 की उपधारा (2) के साथ पठित धारा 3 की उपधारा (अ) (1) के अंतर्गत में केंद्रीय सरकार एड्वोकेट श्री नंगरे सुरेश भागुजी, विशेष सहायक, बैंक आफ महाराष्ट्र, बाजीराव मार्ग शाखा, पुणे की दिनांक 1 जुलाई, 1987 से 30 जून, 1990 तक बैंक आफ महाराष्ट्र के निदेशक मंडल में निदेशक के रूप में नियुक्त करती है।

[सं. एक. 15/5/82-आई. आर.]

सतपाल भादिया, प्रवर सचिव

New Delhi, the 1st July, 1987

S.O. 1849.—In pursuance of sub-clause (b) (i) of clause 3, read with sub-clause (2) of clause 9, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, Central Government hereby appoints Shri Nangare Suresh Bhagujee, Special Assistant, Bank of Maharashtra, Bajirao Road Branch, Pune as a Director on the Board of Directors of Bank of Maharashtra with effect from 1st July, 1987 to 30th June, 1990.

[No. 15/5/82-IR]

S. P. BHADIA, Under Secy

नई दिल्ली, 2 जुलाई, 1987

का.आ. 1850.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिये, एतद्वारा श्री एम. गोपालकृष्णन को इंडियन बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[संख्या एक. 9/20/86-बी.ओ. 1(1)]

New Delhi, the 2nd July, 1987

S.O. 1850.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri M. Gopalakrishnan as a whole-time Director (designated as the Executive Director) of the Indian Bank for a period of five years from the date of his taking charge.

[No. F. 9/20/86-BO.1(1)]

का.आ. 1851.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 8 के उपखंड (1) के साथ पठित खण्ड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिये, एतद्वारा श्री राशिद जिलानी को पंजाब नेशनल बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[स. एक. 9/20/86-बी.ओ. 1(2)]

S.O. 1851.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri Rashid Jilani as a whole-time Director (designated as the Executive Director) of the Punjab National Bank for a period of five years from the date of his taking charge.

[No. F. 9/20/86-BO. I(2)]

का.आ. 1852.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् कार्यभार ग्रहण करने की तारीख से पांच वर्ष की अवधि के लिये, एतद्वारा श्री जे.बी. शेटी को यूनाइटेड बैंक ऑफ इंडिया के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[संख्या एक. 9/20/86-बी.ओ. 1(3)]

S.O. 1852.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri J.V. Shetty as a whole-time Director (designated as the Executive Director) of the United Bank of India for a period of five years, from the date of his taking charge.

[No. F. 9/20/86-BO. I(3)]

का.आ. 1853.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1980 के खंड 8 के उपखंड (1) के साथ पठित खंड 3 के उपखंड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के पश्चात् कार्यभार ग्रहण करने की तारीख से 21 जून, 1992

तक के लिये, एतद्वारा श्री के. शिवराम शेटी को विजया बैंक के पूर्णकालिक निदेशक (कार्यकारी निदेशक के रूप में पदनामित) के रूप में नियुक्त करती है।

[संख्या एक. 9/20/86-बी.ओ.-1(4)]

एम.एस. सीतारामन, धवर सचिव

S.O. 1853.—In pursuance of sub-clause (a) of clause 3 read with sub-clause (1) of clause 8 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. Shivaram Shetty as a whole-time Director (designated as the Executive Director) of the Vijaya Bank for the period commencing with the date of his taking charge and ending with June 21, 1992.

[No. F. 9/20/86-BO. 1(4)]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 3 जुलाई, 1987

का.आ. 1854.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की धारा 10 ख की उपधारा (1) और (2) के प्रावधान भारत ओवरसीज बैंक लिमिटेड, मद्रास पर 26 मार्च, 1987 से 3 मई, 1987 तक लागू नहीं होंगे।

[एक. संख्या 15/4/87-बी.ओ. III (1)]

New Delhi, the 3rd July, 1987

S.O. 1854.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of section 10-B of the said Act shall not apply to the Bharat Overseas Bank Ltd., Madras for the period from 26 March, 1987 to 3 May, 1987.

[No. 15/4/87-B.O. III(i)]

का.आ. 1855.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा भारतीय रिजर्व बैंक की सिफारिश पर घोषणा करती है कि उक्त अधिनियम की धारा 10 ख की उपधारा (9) के उपबंध उस सीमा तक, जहाँ तक कि भारत ओवरसीज बैंक लिमिटेड, मद्रास को किसी व्यक्ति को चार महीने से अधिक के लिये अध्यक्ष नियुक्त करने से छूट प्राप्त है, उक्त बैंक पर 26 मार्च, 1987 से 3 मई, 1987 तक लागू नहीं होंगे।

[सं. 15/4/87-बी.ओ. III (2)]

प्राण नाथ धवर सचिव

S.O. 1855.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-section (9) of section 10-B of the said Act shall not, to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman beyond a period exceeding four months, apply to the Bharat Overseas Bank Ltd., Madras, from 26 March, 1987 to 3 May, 1987.

[No. 15/4/87-B.O. III(ii)]

PRAN NATH, Under Secy.

आयकर अधिनियम

पश्चिम बंगाल—V

कलकत्ता, 21 मई, 1987

या आ. 1856—आयकर अधिनियम, 1961 की धारा 226 की उप-धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, मैं, आयकर आयुक्त, पश्चिम बंगाल V, एन्ड्रॉय, नीचे दी गई अनुसूची के स्तम्भ-1 में उल्लिखित आयकर अधिकारियों और निदेशों सहायक आयकर आयुक्तों को, अनुसूची के स्तम्भ-2 में उल्लिखित निर्धारणों का बकाया कर वसूली करने के लिए आयकर अधिनियम, 1961 की तृतीय अनुसूची में यथा निर्धारित रंग से उनके जन सम्पत्ति का कारस्थान और विवरण करने के लिए प्राधिकृत करता हूँ।

अनुसूची

1	2
1. आ. अ., ए-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "ए"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
2. आ. अ., बी-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "बी"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
3. आ. अ., सी-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "सी"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
4. आ. अ., डी-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "डी"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
5. आ. अ., ई-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "ई"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
6. आ. अ., एक-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "एक"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
7. आ. अ., जी-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "जी"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
8. आ. अ., एच-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "एच"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
9. आ. अ., आई-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "आई"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
10. आ. अ., जे-वाइ, कम्पनी जिला—V, कलकत्ता।	आ. अ., "जे"-वाइ, कम्पनी जिला—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
11. स. आ. (नि.) निर्धारण रेंज—V, कलकत्ता।	स. आ. आ. (नि.) निर्धारण रेंज—V, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
12. आ. अ., "ए"-वाइ, वि. क. सं.—I, कलकत्ता।	आ. अ., "ए"-वाइ, वि. क. सं.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
13. आ. अ., "ए"-वाइ, वि. क. सं.—II, कलकत्ता।	आ. अ., "ए"-वाइ, वि. क. सं.—II, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
14. स. आ. आ. (नि.), वि. क. रें—I, कलकत्ता।	स. आ. आ. (नि.) वि. क. रें—I कलकत्ता के क्षेत्राधीन सभी निर्धारित।
15. स. आ. आ. (नि.), वि. क. रें—II, कलकत्ता।	स. आ. आ. (नि.) वि. क. रें—II कलकत्ता के क्षेत्राधीन सभी निर्धारित।
16. आ. अ., "ए"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "ए"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
17. आ. अ., "बी"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "बी"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
18. आ. अ., "सी"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "सी"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
19. आ. अ., "डी"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "डी"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
20. आ. अ., "ई"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "ई"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
21. आ. अ., "एक"-वाइ, एच. आई. सी.—I, कलकत्ता।	आ. अ., "एक"-वाइ, एच. आई. सी.—I, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
22. आ. अ., "ए"-वाइ, पाट सर्कल, कलकत्ता।	आ. अ., "ए"-वाइ, पाट सर्कल, कलकत्ता के क्षेत्राधीन सभी निर्धारित।
23. आ. अ., अपर "ए"-वाइ, पाट सर्कल, कलकत्ता।	आ. अ., अपर "ए"-वाइ, पाट सर्कल, कलकत्ता के क्षेत्राधीन सभी निर्धारित।

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24. आ. अ. "बी"—वार्ड, पाट सर्कल, कलकत्ता ।
 25. आ. अ. "सी"—वार्ड, पाट सर्कल, कलकत्ता ।
 26. आ. अ. "डी"—वार्ड, पाट सर्कल, कलकत्ता ।
 27. आ. अ. "ई"—वार्ड, पाट सर्कल, कलकत्ता ।
 28. आ. अ. "ए"—वार्ड, पाट सर्कल, कलकत्ता ।

- आ. अ. "बी" वार्ड, पाट सर्कल, कलकत्ता के क्षेत्राधीन सभी निधिरिती ।
 आ. अ. "सी"—वार्ड, पाट सर्कल, कलकत्ता के क्षेत्राधीन सभी निधिरिती ।
 आ. अ. "डी"—वार्ड, पाट सर्कल, कलकत्ता के क्षेत्राधीन सभी निधिरिती ।
 आ. अ. "ई"—वार्ड, पाट सर्कल, कलकत्ता के सभी क्षेत्राधीन निधिरिती ।
 आ. अ. "ए"—वार्ड, पाट सर्कल, कलकत्ता के सभी क्षेत्राधीन निधिरिती ।

पी. के. शर्मा, आयुक्त आयकर

COMMISSIONER OF INCOME TAX

WEST BENGAL—V

Calcutta, 21st May, 1987

S.O. 1856.—In exercise of the power conferred on me under sub-section 5 of section 226 of the I.T. Act, 1961, I, Commissioner of Income-tax, West Bengal-V hereby authorise the Income-tax Officers and Inspecting Assistant Commissioner mentioned in Column 1 of the Schedule below to recover the arrears of tax due from an assessee as mentioned in Column 2 of the schedule by distraint and sale of his movable property in the manner laid down in the third schedule of the I.T. Act, 1961.

SCHEDULE

1	2
(1) I.T.O., A-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O., A-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(2) I.T.O. B-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. B-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(3) I.T.O., C-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. C-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(4) I.T.O., D-Ward, Comp. Dist. V/Calcutta.	Assessee in respect of whom the I.T.O. D-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(5) I.T.O., E-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. E-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(6) I.T.O., F-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. F-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(7) I.T.O., G-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. G-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(8) I.T.O., H-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. H-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(9) I.T.O., I-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. I-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(10) I.T.O., J-Ward, Comp. Dist. V/Calcutta	Assessee in respect of whom the I.T.O. J-Ward, Comp. Dist. V/Calcutta hold jurisdiction.
(11) I.A.C., Assessment Range-V/Calcutta	Assessee in respect of whom the I.A.C. Asstt. Range-V/Calcutta hold jurisdiction.
(12) I.T.O. A-Ward, FCC-I/Calcutta	Assessee in respect of whom the I.T.O., A-Ward, FCC-I/Calcutta holds jurisdiction.
(13) I.T.O., A-Ward, FCC-II/Calcutta.	Assessee in respect of whom the I.T.O. A-Ward, FCC-II/Calcutta holds jurisdiction.
(14) I.A.C., FCR-I, Calcutta	Assessee in respect of whom the I.A.C., FCR-I/Calcutta holds jurisdiction.
(15) I.A.C., FCR-II, Calcutta.	Assessee in respect of whom the I.A.C. FCR-II/Calcutta holds jurisdiction.
(16) I.T.O., A-Ward, SIC-I/Calcutta	Assessee in respect of whom the I.T.O., A-Ward, SIC-I/Calcutta holds jurisdiction.
(17) I.T.O., B-Ward, SIC-I/Calcutta.	Assessee in respect of whom the I.T.O., B-Ward, SIC-I/Calcutta holds jurisdiction.
(18) I.T.O., C-Ward, SIC-I/Calcutta.	Assessee in respect of whom the I.T.O., C-Ward, SIC-I/Calcutta holds jurisdiction.
(19) I.T.O. D-Ward, SIC-I/Calcutta	Assessee in respect of whom the I.T.O., D-Ward, SIC-I/Calcutta holds jurisdiction.
(20) I.T.O., E-Ward, SIC-I/Calcutta	Assessee in respect of whom the I.T.O., E-Ward, SIC-I/Calcutta holds jurisdiction.

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(21) I.T.O., F-Ward, SIC-I/Calcutta	Assessee in respect of whom the I.T.O., F-Ward, SIC-I/Calcutta holds jurisdiction
(22) I.T.O., A-Ward, Jute Circle/Calcutta.	Assessee in respect of whom the I.T.O., A-Ward, Jute Circle/Cal. holds jurisdiction.
(23) I.T.O., Addl. A-Ward, Jute Circle/Calcutta.	Assessee in respect of whom the I.T.O., Addl. A-Ward, Jute Circle/Cal. holds jurisdiction.
(24) I.T.O., B-Ward, Jute Circle/Calcutta.	Assessee in respect of whom the I.T.O. B-Ward, Jute Circle/Cal. holds jurisdiction.
(25) I.T.O., C-Ward, Jute Circle/Calcutta	Assessee in respect of whom the I.T.O., C-Ward, Jute Circle/Cal. holds jurisdiction.
(26) I.T.O., D-Ward, Jute Circle/Calcutta	Assessee in respect of whom the I.T.O., D-Ward, Jute Circle/Cal. holds jurisdiction.
(27) I.T.O., E-Ward, Jute Circle/Calcutta	Assessee in respect of whom the I.T.O., E-Ward, Jute Circle/Cal. holds jurisdiction.
(28) I.T.O., F-Ward, Jute Circle/Calcutta.	Assessee in respect of whom the I.T.O., F-Ward, Jute Circle/Cal. holds jurisdiction.

P.K. SARMA, Commissioner of
Income-tax.

आयकर आयुक्त

पश्चिम बंगाल—VII

कलकत्ता, 21 मई, 1987

का.आ. 1857.—आयकर अधिनियम 1961 की धारा 226 की उप-धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं, आयकर आयुक्त, पश्चिम बंगाल एतद्वारा निम्नलिखित आयकर अधिकारियों को उनके क्षेत्राधीन सभी निर्धारितों का बकाया कर वसूल करने के लिये आयकर अधिनियम 1961 की तृतीय अनुसूची में यथा निर्धारित ढंग से उनके चल सम्पत्ति का करस्थान और विक्रय करने के लिये प्राधिकृत करना हूँ।

1. जिला—III ए, कलकत्ता के आ. अ., ए., बी., सी. डी. ई., एफ., जी., एच. आई., जे., के., एल., एम., एन. और ओ. वार्ड,

2. सी. एम. सी., कलकत्ता के आ. अ., ए., बी. सी. और डी-वार्ड

3. जिला—V ए, कलकत्ता के आ., अ., ए. बी., सी. डी., ई., एफ., जी., एच. आई., जे., के., एल., एम., एन. और ओ. वार्ड।

4. स्पेशल सर्कल—V, कलकत्ता के आ. अ., ए. बी., और सी., वार्ड।

5. न्यास सर्कल, कलकत्ता के आ. अ., ए. बी., सी., डी. और ई.—वार्ड।

6. सी. ए. सर्कल, कलकत्ता के आ. अ., "ए" और आ. अ., "बी"; वार्ड।

[आपन सं.प. सं. VII/87-88/1335]

डी. के. राय, आयकर आयुक्त,

COMMISSIONER OF INCOME TAX

WEST BENGAL-VII, CAL.

Calcutta, the 21st May, 1987

S.O. 1857.—In exercise of the power conferred on me under Sub-Section 5 of Section 226 of the I. T. Act, 1961, I Commission of Income-tax, West Bengal-VII, hereby authorise each of the following Income-tax Officers to recover the arrears of tax due from all assessee under his jurisdiction by distraint and sale of his movable property in the manner laid down in the third Schedule of the I.T. Act, 1961 :

1. I. T. Os A, B, C, D, E, F, G, H, I, J, K, L, M, N and O Wards of Distt IIIA Cal.
2. I, T. Os T, B, C and D Wards of C.S.C., Cal.
3. I. T. Os A, B, C, D, E, F, G, H, I, J, K, L, M, N, O and P Wards of Dist. VA, Cal.
4. I. T. Os A, B, and C Wards of Special Circle-V, Cal.
5. I. T. Os A, B, C, D and E Wards of Trust Circle, Cal.
6. I. T. O. 'A' and I. T. O. 'B' Wards of C.A. Circle, Cal.

[No. Recovery/WB-VII/87-88/1355]

D. K. ROY, Commissioner of Income-tax

वॉणिश्य मंत्रालय

(मुख्य नियंत्रक, आयतन-नियमित का कार्यालय)

नई दिल्ली, 3 जुलाई, 1987

का.आ. 1858.—मैसर्स पंजाब एग्री इण्डस्ट्रीज कारपोरेशन, चण्डीगढ़ को 70,000/रु. के लागत बीमा भाड़ा मूल्य के पी. एस. 1-6 (कृष मशीन) के पिक-अप हैबेलर टाइप के दो नए के आपात के लिए जारी किए जाने की तिथि से 18 महीने की अवधि के साथ लाइसेंस संख्या जी./एफ/1094376/सी./बीस/01/एच./86/एम. एल. एम., दिनांक 26-9-86 दिया गया था। अश्व पार्टी ने उपर्युक्त आयतन लाइसेंस की विनियम नियंत्रण प्रयोजन प्रति की अनुमति प्रति के लिए इस आधार पर आवेदन किया है कि उपर्युक्त आयतन लाइसेंस की विनियम नियंत्रण प्रयोजन प्रति खो गई है। पार्टी ने आवश्यक शपथ-पत्र दाखिल किया है जिसके अंतर्गत उपर्युक्त लाइसेंस किसी भी सीमा, शुल्क सदन के पास पंजीकृत नहीं कराया गया था और लाइसेंस के प्रति शेष 70,000/रु. का बिल्कुल भी प्रयोग में नहीं लाया गया था। शपथ-पत्र में इस बारे में यह घोषणा समाविष्ट की गई है कि यदि कभी विनियम नियंत्रण प्रयोजन प्रति बाद में मिल जाती है या पाई जाती है तो वह जारी करने वाले अधिकारी को लौटा दी जाएगी। इस बात से संतुष्ट होने पर के भूल विनियम नियंत्रण प्रयोजन प्रति खो गई है, अधोहस्ताक्षरी निवेदन देता है कि प्रार्थी को विनियम नियंत्रण प्रयोजन प्रति की अनुमति प्रति जारी कर दी जाए। मैं भी, आयतन (नियंत्रण) आदेश, 1955 की धारा 9 की उपधारा (घ) में प्रदत्त अधिकारों का प्रयोग करते हुए ऊपर उल्लिखित आयतन लाइसेंस की मूल विनियम नियंत्रण प्रयोजन प्रति को रद्द करता हूँ।

[का. सं. 10/11/85-86/एम. एल. एस./224]

एन. एस. कृष्णामूर्ति, उप मुख्य नियंत्रक, आयतन एवं नियमित कृते मुख्य नियंत्रक, आयतन एवं नियमित

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports & Exports)
New Delhi, the 31st July, 1987

New Delhi, the 6th July, 1987

ORDER

S.O. 1858.—M/s. Punjab Agro Industries Corporation, Chandigarh were granted an import licence No. G/F/1094376/X/XX/01/H.86/MLS dated 26-9-86 for import of Two Nos. Pick up Hay Baler Type of PS. 1-6 (Agricultural Machine) for a cif value of Rs. 70,000 with a validity of 18 months from the date of issue. Now the party have applied for grant of Duplicate Exchange Control Purpose Copy of the aforesaid import licence on the ground that the Exchange Control Purpose Copy of the aforesaid import licence has been lost. The party has furnished necessary affidavit according to which the aforesaid import licence was not registered with any customs house and was not utilised at all and the balance against the licence is Rs. 70,000. A declaration has been incorporated in the affidavit to the effect that if the said Exchange Control Purpose Copy is traced or found later on, it will be returned to the issuing authority. On being satisfied that the original Exchange Control Purpose copy of the aforesaid licence has been lost, the undersigned directs that a duplicate Exchange Control Purpose Copy should be issued to the applicant. I also, in exercise of the powers conferred in Sub-clause (d) of Clause 2 of the Imports (Control) Order 1955, hereby cancel the original Exchange Control Purpose Copy of the aforesaid import licence.

[F. No. 10/11/85-86/MLS/224]

N. S. KRISHNAMURTHY Dv. Chief Controller
of Imports & Exports
for Chief Controller of Imports & Exports

नई दिल्ली, 6 जुलाई, 1987

आदेश

का.आ. 1859.—मैसर्स इण्डियन पेट्रोकेमिकल्स कॉर्पोरेशन लि. पो. प्रो. पेट्रोकेमिकल्स, बड़ोदरा, गुजरात को मुक्त विदेशी मुद्रा के अधीन लाइसेंस के साथ संलग्न सूची के अनुसार फॉर्म में 66.61,500 रु. (एफ एफ 3810373) लागत-घोमा-भाड़े के यू. वी. फ्लोरोसेंट एनेलाइजर आदि के आयात के लिए एक आयात लाइसेंस सं. आई/सी जी/2041702, दिनांक 12 सितम्बर, 1986 दिया गया था।

2 फर्म ने उपर्युक्त लाइसेंस को सीमांशुल्क प्रयोजन प्रति की अनुमिति प्रति के लिए इस आधार पर आवेदन किया है कि मूल सीमांशुल्क प्रयोजन प्रति खो गई या अस्थायित्व हो गई है आगे यह भी कहा गया है कि लाइसेंस की सीमांशुल्क प्रयोजन प्रति किसी भी सीमांशुल्क प्राधिकारी के पास पंजीकृत नहीं करवाई गई है और इस तरह से सीमांशुल्क प्रयोजन प्रति के मूल्य का बिल्कुल भी उपयोग नहीं किया गया है।

3 अपने तर्क के समर्थन में लाइसेंसधारी ने नोटरी पब्लिक नई दिल्ली के सामने विधिवत् जपथ लेकर स्टाम्प कागज पर एक शपथपत्र दखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस सं. आई/सी जी/2041702, दिनांक 12-9-86 फर्म द्वारा खो गया या अस्थायित्व हो गया है। यथा संशोधित आयात (निर्यात) आदेश, 1955 दिनांक 7-12-55 की उप-धारा 9 (ग) के अधीन प्रदत्त अधिकारों का प्रयोग करते हुए मैसर्स इण्डियन पेट्रोकेमिकल्स कॉर्पोरेशन बड़ोदरा, गुजरात को जारी किए गए आयात लाइसेंस सं. आई/सी जी/2041702, दिनांक 12-9-86 की उक्त मूल सीमांशुल्क प्रयोजन प्रति को एनड द्वारा रद्द किया जाना है।

4. पार्टी की उक्त लाइसेंस की सीमांशुल्क प्रयोजन प्रति की अनुमिति प्रति धमग में जारी की जा रही है।

[संख्या सी जी-2/सी एफ 32/86-87]

पाल बैक, उप मुख्य निर्यातक, आयात-निर्यात
हुने मुख्य निर्यातक, आयात निर्यात

S.O. 1859.—M/s. Indian Petrochemicals Corporation Limited, P.O. Petrochemicals, Vadodra, Gujarat, were granted an Import Licence No. I/CG/2041702 dated 12th September, 1986 for import of U. V. Fluorescent Analyser etc. as per list attached from France for CIF value of Rs. 66.61,500 (FF 3810373) under free foreign exchange.

2. The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs Purposes copy has not been utilised at all.

3. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a notary Public, New Delhi. I am accordingly satisfied that the original Customs Purposes copy of import licence No. I/CG/2041702 dated 12-9-1986 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs purposes copy No. I/CG/2041702 dated 12-9-1986 issued to M/s. Indian Petrochemicals Corporation, Vadodra, Gujarat, is hereby cancelled.

4. A duplicate Customs purposes copy of the said licence is being issued to the party separately.

[No. CG-I/C&F-32/86-87]

PAUL BECK, Dv. Chief Controller
of Imports & Exports

For Chief Controller of Imports & Exports

(गर्भावक मुख्य निर्यातक, आयात एवं निर्यात का कार्यालय)

चंडीगढ़, 24 मार्च, 1987

निर्यात आदेश

का.आ. 1860 — सर्वश्री आटो कंट्रोल्स प्रा. लि., शेड 4/5 मैट्टर 5 पुरवाण (हि.प्र.) को (1) 8,10,000 रुपये की राशि तक (1680 की संख्या में) की बोर्ड असेंबली, (2) 6,72,000 रुपये तक (1680 की संख्या में) सी. पी. यू. असेंबली (3) 5,04,000 रुपये तक (1680 की संख्या में) कंट्रोल असेंबली, तथा (4) 5,04,000 रुपये तक (1680 की संख्या में) पावर पैक असेंबली का आयात करने हेतु 25,20,000 रुपये की राशि का आयात लाइसेंस सं. पी./डी./2232838 दिनांक 19-6-86 प्रदान किया गया था। फर्म ने सूचित किया है कि उपरोक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रतिलिपि सीमांशुल्क (आयात) के सहायक समूहकी, सी. डब्ल्यू. सी. काम्प्लैक्स, गुडगांव पालम रोड, नई दिल्ली के कार्यालय में पंजीकृत करने के बाद तथा आंशिक रूप से प्रयोग के बाद आग में जलाकर नष्ट हो गई है।

उपरोक्त कथन के समर्थन में आवेदक ने आयात और निर्यात किया विधि पुस्तिका 1985—88 के पैरा 86-87 में यथावच्छिन्न शपथपत्र प्रस्तुत किया है।

फर्म ने लाइसेंस की मुद्रा विनिमय नियंत्रण प्रतिलिपि 22,07,516 रुपये की शेष राशि का उपयोग करने के लिए आवश्यकता की है।

मैं संतुष्ट हूँ कि उक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रतिलिपि नष्ट हो गई है।

आयात व्यापार नियंत्रण आदेश 1955 दिनांक 7-12-55 यथासंशोधित की धारा 9 (डी) में प्रदत्त शक्तियों का प्रयोग करते हुए मैं लाइसेंस सं. पी./डी./2232838 दिनांक 19-6-86 रुपये 25,20,000/ की मुद्रा विनिमय नियंत्रण प्रतिलिपि को निरस्त करने का आदेश देता हूँ।

आयात-निर्यात क्रिया विधि पुस्तिका 1985-88 के पैरा 86-87 के अन्तर्गत आयात के मामले में अब 22,07,516/- रुपये की शेष राशि के उपरोक्त लाइसेंस की मुद्रा विनिमय नियंत्रण प्रतिलिपि जारी करने के लिए विचार किया जाएगा।

[सं. सी. आई. ए. 86/सी. टी. सी. /25/ए. एस. 86/सी. एस. सी.]
डॉ. क. भट्टाचार्य, सहायक मुख्य निर्यात आयात निर्यात

(Office of the Asstt. Chief Controller of Imports and Exports)
Chandigarh, the 24th March, 1987

CANCELLATION ORDER

S.O. 1860.—M/s. Auto Controls Pvt. Ltd. Shed 4/5, Sector 5, Parwanoo (HP) were granted Import Licence No. P/D/2232838 dated 19-6-1986 for Rs. 25,20,000 for import of (1) Key Board Assembly (1680 Nos) upto Rs. 8,40,000, (2) CPU Assembly (1680 Nos.) upto Rs. 6,72,000, (3) Control Assembly (1680 Nos.) upto Rs. 5,04,000 and (4) Power Prior Assembly (1680 Nos.) upto Rs. 5,04,000. The firm have reported that Exchange Control copy of the said licence has been destroyed in the fire after having been registered with office of Asstt. Collector of Custom (Imports) CWC Complex, Gurgaon-Palam Road, New Delhi and utilised partly.

The applicant firm have filed an affidavit in support of the above statement as required under para 86-87 of Hand Book of Import-Export Procedure 1985-88.

The firm have applied for issue of duplicate copy of the Exchange Control copy of the licence. The duplicate Exchange Control copy of the licence is required to cover the balance value of Rs. 22,07,516.

I am satisfied that the Exchange Control copy of the said licence has been destroyed.

In exercise of the powers conferred on me under section 9(d) of Import Trade Control Order 1955 dt. 7-12-1955 as amended, I order the cancellation of the Exchange Control copy of the licence No. P/D/2232838 dt. 19-6-1986 for Rs. 25,20,000.

The applicant's case will now be considered for issue of duplicate Exchange Control Copy of the said licence for the balance value of Rs. 22,07,516 in accordance with para 86-87 of Hand Book of Rules & Procedure 1985-88.

[No. CI&E/DGTD/25/AM.86/CHD]

D. K. BHATACHARYA, Asstt. Chief Controller of I&E

वस्त्र मंत्रालय

नई दिल्ली, 8 जुलाई, 1987

का. प्रा. 1861—केन्द्रीय सरकार, केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 81) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पुनि एवं वस्त्र मंत्रालय (वस्त्र विभाग) भारत सरकार की अधिसूचना सं. का. प्रा. 517 (अ) दिनांक 9 जुलाई, 1985 में एन्ड्रॉग निम्नलिखित संशोधन करती है :—

उक्त अधिसूचना में मद सं. 9 और उसमें सम्मिश्रित प्रविष्टि के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात् :—

- "9 सरकार के आयुक्त तथा सचिव,
- हथकरघा, वस्त्र तथा खादी विभाग,
- अमिताबाद सरकार।"

[फा. सं. 25012/8/85-रेशम]

इन्दिरा मानसिंह, संयुक्त विकास आयुक्त, हथकरघा

MINISTRY OF TEXTILES

New Delhi, the 8th July, 1987

S.O. 1861.—In exercise of the powers conferred by sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Supply & Textiles (Department of Textiles) No. S.O. 517(F) dated 9th July, 1985 :—

In the said notification, for item 9 and the entry relating thereto, the following shall be substituted namely :—

"9. Commissioner and Secretary to Government, Handlooms Textiles and Khadi Department, Government of Tamil Nadu".

[F No. 25012/85-Silk]

INDIRA MANSINGH, Joint Development Commissioner
Handlooms

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 15 जून, 1987

का. प्रा. 1862—केन्द्रीय सरकार, भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा II की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारतीय आयुर्विज्ञान परिषद् में परामर्श करने के पश्चात् उक्त अधिनियम की पठनी अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अनुसूची में —

मणिपुर विश्वविद्यालय में संबन्धित प्रविष्टियों में "बैचलर ऑफ मेडिसिन एण्ड बैचलर ऑफ सर्जरी—एम बी बी एस," प्रविष्टि के स्थान पर —

"यदि यह अर्हता 30 अप्रैल, 1983 के पहले प्रदान की गई हो तो यह इन के अन्तर्गत एक मान्यता प्राप्त शिक्षा अर्हता होगी" शब्दों और अंकों का प्राव किया जाएगा।

[सं. सं. 11015/5/86-एम ई (पी)]

आर. श्रीनिवासन अधीन सचिव

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 15th June, 1987

S.O. 1862.—In exercise of the powers conferred by sub-section (2) of section II of the Indian Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendment in the First Schedule to the said Act, namely :—

In the said schedule :—

In the entries relating to the Manipur University against the entry "Bachelor of Medicine and Bachelor of Surgery.....MBBS, the words and figures "This qualification shall be a recognised Medical Qualification under this schedule when granted before the 30th April, 1983" shall be omitted.

[No. V. 11015/5/86-ME (P)]

R. SRINIVASAN, Under Secy

नई दिल्ली, 30 जून, 1987

का. प्रा. 1863—दल चिकित्सक अधिनियम, 1918 (1918 का 16) की धारा 3 के खण्ड (क) के अनुसरण में डा. के. गोविन्दन नायर, मंगलगा, कर्णाटक विधानसभा के कर्ण राज्य दल चिकित्सक के भाग "क" में रजिस्ट्रीकृत दल चिकित्सकों द्वारा 25 फरवरी, 1987 में डा. बालाकृष्णन नायर के स्थान पर भारतीय दल चिकित्सक परिषद् का सदस्य निर्वाचित किया गया है,

यस उक्त अधिनियम की धारा 6 की उपधारा (1) के साथ पठित प्रायः 3 के खण्ड (क) के अनुसूचन में केन्द्रीय सरकार भारत सरकार के स्वास्थ्य और परिवार कल्याण मन्त्रालय की अधिसूचना स का आ 430 तारीख 24 जनवरी, 1984 में निम्नलिखित संशोधन वर्गीकृत है :—

उक्त अधिसूचना में 'धारा 3 के दन्तक के साथ पठित खण्ड (क) के अन्तर्गत निर्दिष्ट' शीर्ष के अर्थात् क्रम संख्यांक 10 और उसमें सर्वोच्च प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

'10 डा के निर्वाचित केरल दन्तचिकित्सक 25-2-87'
गोविन्द नायर परिपद

[संख्या बी. 12013/1/87-पी. एम. एम.]

जी. जी. के. नायर, अपर सचिव

New Delhi, the 30th June, 1987

S.O. 1863.—Whereas in pursuance of clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948), Dr. K. Govindan Nair, Mangalya, Kalamana, Trivandrum has been elected to be a member of the Dental Council of India by the Dentists registered on Part 'A' of the Kerala State Dentists with effect from the 25th February, 1987, vide Dr. K. Balakrishnan Nair:

Now, therefore, in pursuance of clause (a) of section 3 read with sub-section (1) of section 6 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Health and Family Welfare, No. S.O. 430 dated the 24th January, 1984, namely :—

In the said notification, under the heading "Flected under clause (a) read with the proviso to section 3", for serial number 10 and the entries relating thereto, the following shall be substituted, namely :—

'10. Dr. K. Govindan Nair Elected Kerala 25-2-1987,"
Dental
Council

[No. V-12013/1/87-PMs]

G. G. K. NAIR, Under Secy

संचार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 3 जुलाई, 1987

का.आ. 1864—स्वायं. आदेश संख्या 627 दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने रामचन्द्रपुरम टैलीफोन केन्द्र, रामचन्द्रपुरम, तमिल नाडु में दिनांक 10 जनवरी 1987 में प्रकाशित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-8/87-पी. एच. बी.]

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 3rd July, 1987

S.O. 1864.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 10-7-87 as the date on which the Measured Rate System will be introduced in Ramachandrapuram Telephone Exchange, A. P. Circle.

[No. 5-8/87-PHB]

का.आ. 1865—स्वायं. आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने चन्द्रपुर टैलीफोन केन्द्र, उड़ीसा में दिनांक 10-7-1987 में प्रकाशित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-15/87-पी. एच. बी.]

पी. आर. काररा, महायक महानिदेशक (पी. एच. बी.)

S.O. 1865.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 10-7-1987 as the date on which the Measured Rate System will be introduced in Chatrapur Telephone Exchange Orissa Circle.

[No. 5-15/87-PHB]

P. R. KARRA, Asstt. Director General (PHB)

(दूरसंचार बोर्ड)

नई दिल्ली, 3 जुलाई, 1987

का.आ. 1866—भुवनेश्वर टाभाडा और चन्द्रका टैलीफोन एक्सचेंज व्यवस्था के स्थानीय क्षेत्र में बदली किये जाने की बात जिन लोगों पर परिवर्तन का प्रभाव पड़ेगा की सूचना है एक सर्वसाधारण सूचना उन सबकी जानकारी के लिये जिसकी भारतीय तार नियमावली, 1951 के नियम 434 (III) (2ग) में अपेक्षित है भुवनेश्वर में चालू संचार पत्रों में निकाला गया था और उससे कहा गया था कि इस बारे में यदि उन्हें कोई आपत्ति हो या उनके कोई सुझाव हों तो वे इस सूचना के प्रकाशित होने की तारीख से 30 दिनों के भीतर भेजने का कष्ट करें।

उक्त सूचना सर्वसाधारण की जानकारी के लिये दिनांक 8-2-1987 के "समाज" 6-2-1987 के "प्रभात" और 9-2-1987 के "संवाद" संचार पत्रों में प्रकाशित कर दी गई थी।

उक्त सूचनाओं के उत्तर में जनसामान्य से आपत्तियाँ और सुझाव प्राप्त हुए थे जिन पर केन्द्र सरकार के विभाग किता है,

इसलिये अब उक्त नियमावली के नियम 434 (III) (2ग) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए महानिदेशक, दूर संचार विभाग घोषित करते हैं कि तारीख 10-7-1987 से भुवनेश्वर, टाभाडा और चन्द्रका का स्थानीय संचालित क्षेत्र इस प्रकार होगा :

1. भुवनेश्वर टैलीफोन एक्सचेंज प्रणाली :

भुवनेश्वर का स्थानीय क्षेत्र बही होगा जोकि भुवनेश्वर नगरपालिका के अन्तर्गत पड़ता है, परन्तु वे टैलीफोन उपभोक्ता जो कि भुवनेश्वर नगरपालिका सीमा के बाहर हैं किन्तु जिन्हें भुवनेश्वर टैलीफोन एक्सचेंज व्यवस्था द्वारा सेवा प्रदान की जा रही है वे इस व्यवस्था के किसी भी एक्सचेंज में जब तक 5 कि.मी. तक दूर के भीतर स्थित रहेंगे और इन प्रणाली में जुड़े रहेंगे तब तक स्थानीय शुल्क दर आधार पर सहायगी करेंगे। परन्तु, इसके अतिरिक्त यह सीमा टाभाडा और चन्द्रका प्रणालियों के साथ भुवनेश्वर नगरपालिका सीमा तक सीमित रहेंगी।

2. टाभाडा टैलीफोन एक्सचेंज प्रणाली

टाभाडा टैलीफोन एक्सचेंज प्रणाली के अन्तर्गत इस टैलीफोन एक्सचेंज में 5 कि.मी. तक दूर के अन्तर्गत स्थित क्षेत्र शामिल होंगे। परन्तु, उत्तर पूर्व में यह सीमा भुवनेश्वर नगरपालिका क्षेत्र तक सीमित होगी।

3. चन्द्रका टैलीफोन एक्सचेंज प्रणाली

MINISTRY OF LABOUR

New Delhi, the 2nd July, 1987

बन्दका टेलीफोन एक्सचेंज प्रणाली के अन्तर्गत इस टेलीफोन एक्सचेंज से 5 किलोमीटर की दूरी के अन्तर्गत स्थित क्षेत्र शामिल होंगे। परन्तु, दक्षिण में इसका क्षेत्र कुशनगर नगरपालिका क्षेत्र तक सीमित होगा।

[स. 3-7/86-म.ए.ब.बी.]
परम कुमार, निदेशक, फोन (ई)

(Telecom. Board)

New Delhi, the 3rd July, 1987

S.O. 1866.—Whereas a public notice for revising the local areas of Bhubaneswar, Tamando and Chandaka Telephone Exchange Systems was published as required by rule 434 (III) (2c) of the Indian Telegraph Rules, 1951 in the Newspapers in circulation at Bhubaneswar, inviting objections and suggestions from all persons likely to be affected thereby, within a period of 30 days from the date of publication of the notice in the Newspapers;

And whereas the said notice was made available to the public on 8-2-1987 in 'Samaj', 6-2-1987 in 'Pratatantra' and 9-2-1987 in 'Sambad' newspapers;

And whereas objections and suggestions received from the public on the said notice have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by rule 434 (III) (2c) of the said rules the Director General, Telecommunications hereby declares that with effect from 16-7-1987 the revised local areas of Bhubaneswar, Tamando and Chandaka shall be as under :—

1. BHUBANESWAR Telephone Exchange System :—The local area of Bhubaneswar shall cover an area falling under the jurisdiction of Bhubaneswar Municipality; provided that the telephone subscribers located outside the Municipal limits of Bhubaneswar but who are served from Bhubaneswar Telephone System shall continue to pay local tariffs as long as they are located within 5 Kms. radial distance of any exchange of this system and remain connected to it. Provided further that this limit shall be restricted to Municipal boundary towards Tamando and Chandaka Telephone Systems.

2. TAMANDO Telephone Exchange System:—The local areas of Tamando shall cover an area falling within 5 kms. radial distance from Tamando Telephone Exchange; Provided that this limit shall be restricted to Bhubaneswar Municipal Boundary in the North-East

3. CHANDAKA Telephone Exchange System :—The local area of Chandaka shall cover an area falling within 5 Kms radial distance from Chandaka Telephone Exchange. Provided that this limit shall be restricted to Bhubaneswar Municipal Boundary in the South.

[No 3-7/86-PHB]

PRADFEP KUMAR, Director, Phones(E)

श्री मंत्रालय

नई दिल्ली, 2 जुलाई, 1987

का था 1987 --सौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बैंक आफ महाराष्ट्र के प्रबंधक से सम्बद्ध नियोक्तों और कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अभिकरण त. 1, बम्बई के पंचाट की समिति परमा है, जो केन्द्रीय सरकार की 24-6-1987 को प्राप्त हुआ था।

S.O. 1867.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the Bank of Maharashtra and their workmen which was received by the Central Government on the 23rd June, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 BOMBAY

PARTIES :

Employers, in relation to 'Bank of Maharashtra and their workmen

APPEARANCES :

For the Employer : Mr. B. S. Joshi, Chief Manager of Staff Division and Mr. Nijampurkar, Officer, Personnel Department.

For the workmen : Shri R. D. Jog, President, Bank of Maharashtra Karamchhari Sangh

INDUSTRY : Banking

STATE : Maharashtra

Bombay, dated the 27th March, 1987

AWARD

The dispute in this reference relates to the working hours of the Patharli Branch of the Bank of Maharashtra. This branch was opened on 27-12-1977. Initially the working hours of this branch were 8.30 A.M. to 0.30 P.M. and 5.30 P.M. to 8.30 P.M. on week days and 8.30 A.M. to 0.30 P.M. on Sundays. These timings were changed in August, 1982 and the working hours were fixed as 10.30 A.M. to 5.30 P.M. By a notice dated 16-2-1984 under S-9A of the Industrial Disputes Act, these timings were proposed to be changed to 1.30 P.M. to 8.30 P.M. on week days and from 10.45 A.M. to 2.30 P.M. on Sundays. The Bank of Maharashtra Karamchhari Sangh opposed this change and the dispute raised by the Sangh over it was taken into conciliation. The proposed change was kept in abeyance till the completion of the conciliation proceedings which failed, and was introduced with effect from 1-1-1986. The Central Government, therefore referred the following dispute for adjudication, to this Tribunal, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

"Whether the notice dated 16-2-1984 from the Manager, Bank of Maharashtra, Patharli Branch to change over working timings of the Bank from present 10.30 A.M. to 5.30 P.M. on week days and 10.30 A.M. to 2.30 P.M. on Sundays to 1.30 P.M. to 8.30 P.M. on week days and 10.45 A.M. to 2.30 P.M. on Sundays is justified in view of the fact that the workmen employed in the Branch are predominantly ladies. If not, to what relief the workmen are entitled?"

2 The Bank of Maharashtra Karamchhari Sangh has stated in their Statement of Claim their objections to the change in timings. According to the Sangh after the initial change in timings as 10.30 A.M. to 5.30 P.M. the total staff working in the Patharli Branch was increased from 11 (including 3 lady staff members) to 17 (including 7 lady staff members), and that in view of broad daylight looting in the area in which the Patharli Branch is located it is unsafe to detain lady staff members for a long time at night hours. According to the Sangh, in view of the regular atrocities tak-

ing place in Banks throughout the country including stabbing and murders of bank employees, it would not be desirable to keep open the Bank at late hours especially where there are maximum number of lady staff working in the absence of strong security measures. The next big headache, according to the Sangh, is failure of electricity at any moment of the day in the absence of any proper and adequate arrangement made by the Bank to provide sufficient lighting in case of failure of electricity, the employees are required to work in the candle light on many occasions. According to the Sangh, it is not practicable to carry out cash work or other transactions in the absence of sufficient light because any mistake on the part of the employees in such circumstances may cause heavy financial loss to them. The Sangh has also refuted the claim of the Bank that after the change of the working hours, there has been improvement in the banking business, and contended that even from the business point of view, there is no justification for the change in timings. According to the Sangh, most of the members working in the Patharli Branch are its members and hence the management has taken the decision to change the timings under the pressure of the rival union.

3. In the written statement, the Bank contended that the Government of Maharashtra has exempted the Bank from the application of S.13 of the Shops and Establishments Act relating to the opening and closing hours of the commercial establishments, subject to the condition that the Bank should not be opened earlier than 7.30 A.M. and close later than 9.00 P.M. As the new timings of the Patharli Branch are within the parameters of the said condition, the Labour Union cannot oppose the said timings. Further, it is contended, that as per the provisions of para 14.5 of the First Bipartite Settlement of 1966, liberty is given to the Bank to fix at its discretion, the actual timings of work and the condition of giving a notice under S.9A of the Industrial Disputes Act for the purpose is waived with the proviso that sufficient advance intimation is given to the workmen concerned. The Bank claimed that in the instant case, not only it has given advance intimation, but has also given a notice under S.9A of the Industrial Disputes Act, though it was not necessary in view of the aforesaid provision of the Bipartite settlement. The Bank maintained that as the Bank of Maharashtra Karamchhari Sangh was a party to the First Bipartite Settlement, the union has no case to oppose the change which had been brought about with due process of law. According to the Bank, there is no force in the contention of the labour union that it is not safe to detain the lady staff members late in the night, in view of the day time robberies, because if at all such a danger is there, it can not be confined to a particular class of employees, but will have all pervading effect. The Bank maintained that the banking industry is a commercial activity and in its business, customer service is of utmost importance, and therefore, in arranging the working hours of the branch, preference will have to be given to the comfort and convenience of the customers. According to the Bank, there were complaints about the inconvenient timing of the Patharli Branch and hence the Bank was required to bring in the change and fix such timings which will cater to the needs of the customers at large. The change was effected with this aspect in mind and there was no other intention much less malafides against any class of employees. The Bank further contended that initially, the Patharli Branch was having two shifts and the closing time of the evening shift was 8.30 P.M., to which arrangement, the labour union had never opposed, inspite of the fact that even at that time, there were some lady staff members. The Bank maintained that the notice of change was given after consideration of all aspects of the matter and after getting complaints from the customers about the inconvenient timings. According to the Bank, four factors were taken into consideration, which were (1) Customers of the Patharli Branch were mainly employees working in a number of industrial establishments; (2) that they were required to leave Patharli early in the morning to reach their places of work and returned home in the evening; (3) That lady depositors were not prepared to transact any business between 10.30 A.M. and 2.30 P.M. probably because of instances of day-time robbery and (4) that since the evening working of the branch was initially upto 8.00 P.M. even though there were

some ladies in the staff, it would not cause inconvenience to the lady employees of the Branch. The Bank maintained that there is no cause-cause between the strength of the lady staff members and the danger of day time robberies and failure of electricity. What is material here is that if at all there are dangers they will be posed to all branches and all employees of the branches irrespective of their strength and irrespective of whether they are male or female. According to the Bank, it is incorrect to say that only the lady staff members will be exposed to such dangers and male members will be safe and will be able to work in the case of failure of electricity. According to the Bank, all female employees are local residents and common modes of transport are easily available to them any time. The bank further maintained that initially also, the Bank was having working hours upto late in the evening and at that time also there were lady employees working in the Branch. The Bank has styled as incorrect, the contention of the union that the business of the Branch has not improved after bringing about the change in working hours. The Bank also denied that the decision about the change in the working hours was taken under the pressure of the rival union. The Bank further maintained that what is material is the convenience and comfort of the valued clients and the complaints made by such customers and also by the All India Bank Depositors Association led the Bank to consider about the change in working hours. The Bank also maintained that it has taken adequate measures about the safety and proper working of the branch.

4. In support of the contention that the Banks are exempted by the State Government i.e. Government of Maharashtra from the operation of S.13 and some other provisions of the Shops and Establishments Act, the Bank produced a circular issued by the Divisional Manager of the Bank of Maharashtra to all branches and offices of the said Bank on 4-7-1985. The terms and conditions on which this exemption has been granted are given overleaf of the said letter. The condition subject to which the exemption from the operation of S.13 is granted is that the Bank should not be opened earlier than 7.30 A.M. and closed later than 9.00 P.M. The position that such a notification has been issued by the Government of Maharashtra is not disputed. It is also not disputed that paragraph 14.5 of the First Bipartite Settlement gave liberty to the Bank to fix at its discretion the actual timings for work, provided the maximum number of hours of work fixed by the settlement are observed. Paragraph 14.5 of the First Bipartite Settlement reads as under :—

"14.5. The Banks will be at liberty to fix at their discretion the actual timings for work, provided the maximum number of hours of work fixed by this settlement are being observed. Any change made by the bank in the actual timings for work of any workman, for staggering purposes, will not require a notice of change under Section 9A of the Industrial Disputes Act, 1947. Sufficient advance intimation of such change in actual timings for work will however, be given to the workman concerned."

5. It is not disputed that in the proposed change, the maximum number of hours of work fixed by the aforesaid settlement are observed. In view of this position, the contention of the Bank that its action in introducing the change in the timings which was effected after due notice and sufficient advance intimation and after faithfully observing the relevant provisions in this behalf, is perfectly legal and valid must be accepted. The specific question which arises for consideration however is whether the change is justified, regard being had to the fact that there are several lady staff members working at the concerned branch.

6. The main ground on which the impugned change in timing is challenged by the Sangh is that in view of the broad-day-light looting in the area in which the Patharli Branch is located and also in view of the regular dacoities taking place in Banks throughout the country, it would be unsafe to keep open the bank till late hours and undesirable to detain lady staff members till late at night. In the statement of claim, the Sangh has made mention of two instances of day-time robberies in the area. First is about looting of cash

from a diary and second is about looting of cash from a temple. That such incidents took place is not in dispute. But, admittedly, those lootings took place in day time and have nothing to do with the timings of the Bank located in that area. Admittedly no such incident took place in the Patharli Branch of the Bank, even when the Bank was working in two shifts and the closing time of the evening shift was 8.30 P.M. The problem of day-time robberies is a law and order problem and much cannot be made of such stray incidents while considering the question of working hours of the Bank. No doubt, bank dacoities are on the increase in the country, but that is against a law and order problem which has to be tackled by the concerned Governments by making effective security arrangements. Moreover, there is nothing to show that these dacoities have taken place in the Banks which have late working hours. Such incidents have taken place at different places at branches having different working hours and even during broad-day-light and in the heart of big cities. In the violence which is unleashed in such incidents against the bank employees, only female staff members are not the target. The danger is posed to all employees irrespective of their sex. It is common knowledge that the employees are subjected to violence by the dacoits, if they resist the looting. Further, as stated in his affidavit by Shri Dilip Madhukar Pophale, Chief Manager, Thane Raigad and Gujarat Zone of the Bank, the Government of India is seized of the problem and has issued guidelines in this behalf and as per the guidelines, branches are classified into vulnerable and non-vulnerable from the security point of view and the Bank has constituted a security Standing Committee which reviews the position of the security arrangements of the Branches. Shri Pophale has further affirmed that requirement of armed guards in respect of the Naupada, Thane City and Bhiwandi branches in the Thane zone was recently considered and these branches have been provided with armed guards. He also affirmed that the Bank has appointed a security officer at the zonal office to supervise the security arrangements of branches in the zone and that the requirement of armed guard for the Patharli Branch will be considered by the Zonal Office in consultation with the Central Office. It is therefore difficult to accept the contention of the Sangh that it is risky to have evening timings for the Patharli Branch because out of 17 employees working in the branch 7 are ladies.

7. It is not also correct to say that the percentage of lady staff members in the Patharli Branch is more than in other branches of the Bank of Maharashtra in the Dombivli area. The Bank has filed a statement showing the break-up of the male and female staff members in the branches in Dombivli/Thakurli area. There are in all 6 branches of the Bank of Maharashtra in this area. It will be seen from the above referred statement that out of 23 officers in these branches 20 are male while 3 are female. Out of 91 staff members, 65 are ladies while all the sub-staff are male. There are no female officers at Patharli Branch and out of the award staff 4 are male while 7 are female. There are no female sub-staff, members which is the case in all other branches as well. It will thus be seen that out of 11 staff members excluding officers and sub-staff, 7 are female while 4 are male. The total number of female award staff in all the 6 branches in the area is 65 as against 26 males. It is, therefore, difficult to accept the contention that the female contingent in the Patharli Branch is unusually large compared to other branches.

8. It is pertinent to note in this context that out of 6 branches of the Bank of Maharashtra in the Dombivli and Thakurli area, four branches including the Patharli branch have working hours till late in the evening. These branches are Dattanagar Branch, Tilaknagar Branch, Vishnu Nagar Branch and Patharli Branch. Vishnu Nagar Branch closes at 8.00 P.M. while the other three branches work upto 8.30 P.M. This position can be seen from the statement at Annexure 3 to the affidavit of Shri Bagul Anant Murlidhar, who

is working as the Regional Manager of the Thane Region of the Bank. This statement also shows that Datta Nagar Branch, (Airey Road) and the atharli Branch are equi-distant from the Dombivli Railway Station. The distance being 1 km. The distance between the Tilaknagar Branch and the Dombivli Railway Station is also practically the same. There are lady staff members in all these branches. It is significant to note that in the Tilaknagar Branch, there are 8 lady staff members as against 7 in the Patharli Branch. The timings of the Tilaknagar Branch are 1.30 P.M. to 8.30 P.M. It will also be seen from Annexure-4 to the affidavit of Shri Murlidhar that in the Dombivli/Thakurli area there are in all 34 branches of different banks out of which 18 have evening timings. The closing hours vary from 7 P.M. to 8.30 P.M. It is not disputed that there are lady staff members in all these branches. It is not dispute that transport is available at the relevant hours. It is, therefore, futile to contend that the change in timing is inconvenient to and risky from the point of view of lady staff members working in patharli Branch. It is also significant to note that 5 out of 7 lady staff members at the Patharli Branch, have been posted at the Branch on their request.

9. Some grievance is sought to be made about failure of electricity. Obviously this is a common phenomena and the management of the Bank is not responsible for it. Inconvenience caused by failure of electricity is universal. Moreover, in the reply filed by the bank to the rejoinder of the union, the Assistant General Manager, (Industrial Relations) has specifically averred that a generator has been provided to the Patharli Branch. This position is not disputed and hence the problem, if at all there was any, now stands resolved, apart from the fact that aspect of the matter has absolutely no relevance to the dispute in question.

10. The Bank of Maharashtra Karamchari Sangh has raised the plea of unfair labour practice on the part of the management of the Bank and victimisation of the members of the staff working at the Patharli Branch. According to the Sangh, most of the staff members at the Patharli Branch are members of the Sangh and hence the unjustified change in timings is sought to be made to harass the employees at the instance of the rival union. Apart from the fact there is nothing on record to show that most of the staff members working at the Patharli Branch are members of the Sangh, there is absolutely no basis to hold that the change in timings was resorted to at the instance of the rival union to harass the employees who are members of the sangha. On the contrary, there is enough record to show that the change in timing was made at the instance of the depositors of the Bank who had raised objection when the initial timings were changed in August, 1982. As mentioned above, initially the Patharli Branch worked in two shifts, the working hours being 8.30 A.M. to 0.30 P.M. and 5.30 P.M. to 8.30 P.M. on week days and 8.30 A.M. to 0.30 P.M. on Sundays, Monday being weekly holiday. These timings were changed to 10.30 A.M. to 5.30 P.M. in August, 1982. This change was strongly objected to by several depositors. The change was to take place with effect from 2-8-82 as advertised in Marathi Daily 'Lok Satta' on 3-8-1982. About 177 depositors of the Patharli Branch protested against the change in timing to 10.30 A.M. to 5.30 P.M. and lodged a signed protest by a letter dated 6-8-1982 addressed to the Executive Director of Bank of Maharashtra. The depositors who wrote the letter specifically mentioned that the change was inconvenient to the bank depositors who had dealings with the Bank for many years. They also requested the Executive Director to use his good offices in maintaining the original timings at the Patharli Branch and not to change to revised timing. They also stated that if change in timings was persisted it would result in depositors changing their accounts to the place of their convenience. They also mention that the Banking industry is meant for the convenience of the people and expressed the hope that the Executive Director would do his best to retain the original timings, namely, 8.30 A.M. to 0.30 P.M. and 5.30 P.M. to 8.30 P.M. on week days. This letter is produced

by the Bank at Annexure-5 to the Banks reply to the rejoinder of the union. It was sent by one Shri B. N. Joshi on behalf of the depositors. It appears from the documents produced on record that there was no response from the Bank to this protest and hence Shri B. N. Joshi sent a copy of the aforesaid letter to the President, Bombay Branch of the Bank Depositors Association, who in turn addressed a letter on June 13, 1984 to the Regional Labour Commissioner (Central), Bombay, requesting him to take note of the convenience of the depositors in fixing the working hours of the Bank. The President emphasised in that letter that Dombivli has many households where both the husband and wife go out for work and as such early morning and late evening hours are the only suitable hours for banking. The President thereby, also made a general grievance that the Banks had unilaterally changed their timings since they were more staff oriented than customer oriented. Thereafter, Shri B. N. Joshi wrote another letter on Shri P. S. Deshpande, the then Chairman of the Bank of Maharashtra, complaining inter alia that the problem for which he approached the letter on behalf of the depositors of the Patharli Branch of Dombivli still remained unsolved. Shri Joshi followed it up with another letter on 16-11-1984 to the Chairman. This is what Shri Joshi wrote to the Chairman in respect of the subject in question.

"I have been approaching you since August 82 on various matter connected with working of your Patharli Branch in Dombivli (East). One of the main grievance was in regard to change in working hours of that branch. A matter of this small nature still remain unsolved to the reasons best known to you, but this delay has inconvenienced the depositors on whose deposit the capacity for the working of the Bank is carried out. I had brought to your notice earlier that the matter is with Commissioner of Labour Bombay. No efforts have been made by you personally in solving this matter for the convenience of depositors. I am afraid that this matter is likely to remain unsettled under the circumstance.

I have further decided to approach you to settle the issue once for all instead of keeping this hanging indefinitely. Many depositors are still expecting you to give a final verdict so that they will take their own decision in regard to banking business."

11. It appears that thereafter a survey was carried out by the Management of the Bank. The survey report is produced as Annexure-1 to the Bank's reply to the rejoinder of the union. It will be seen from this report that the timings which were introduced with effect from 9-8-1982 namely from 10.30 A.M. to 5.30 P.M. were not indicated even by the Branch and that since the Branch was situated in the locality where majority of office goers reside, the timings were not found to be convenient and many suggestions to reconsider and change the present timings were made. The officer who was deputed to carry out the survey visited the Branch on 21st April, 1985. He has mentioned in the report that he was informed by the Branch Manager that the then prevailing timings (10.30 A.M. to 5.30 P.M.) had been causing considerable inconvenience to the account-holders, but on the strength of his assurances and his reference to the central office, the clients had been showing patience and continuing banking relations with the Branch. The officer who carried out the survey also recorded a finding that since introduction of the new timings since 9th August, 1982, the pace of opening of new accounts at the Branch had slowed down. In proof of his statement, he also gave the relevant figures in his report. He also ascertained the views of the available depositors and recommended that the original timings of the Patharli Branch should be restored. He referred to the proposed change in timings of the Canara Bank and expressed his apprehension about the attitude of the depositors in the following words:—

"If the timings of our Patharli Branch are kept unchanged the account holders would find the timings of Canara Bank most suitable since they would do their banking work on return from their offices in the evening and then in that case, there will be instances of closure of accounts and we may lose the business. It is, therefore, imperative essential to take decision at the earliest before Canara Bank introduces its timings."

12. He also stated "Most of the staff at the Branch are also residents of Dombivli town and hence if double shift timings are resorted to, they would not be found much inconvenient to the staff also." In the alternative, the report suggested that working hours should be from 1.30 P.M. to 8.30 P.M. with half-an-hour recess in between on week days and from 10.30 to 2.30 P.M. on Sunday with Monday being weekly off. It is on the basis of this report that the impugned change was sought to be introduced. But, it was kept in abeyance till the end of the conciliation proceedings. It is pertinent to note that the deposit-holders who wanted double shift working grudgingly accepted one shift working and made a grievance about the action of the management in keeping the decision in abeyance till the conclusion of the conciliation proceedings.

13. It is, therefore, clear that the deposit-holders of the Patharli Branch were agitating right from the beginning after the initial double shift working was changed in August, 1982 and that the impugned change was introduced to meet their demands partly.

14. As mentioned above, the Depositors wanted double-shift working as before. This demand was not accepted by the Bank and while changing the timings from 10.30 A.M. to 5.30 P.M. instead of reintroducing the initial double-shift working, the Bank introduced a single shift working from 1.30 P.M. to 8.30 P.M. on week days. Obviously, this change was introduced to look, as far as possible, to the convenience of the employees also while looking to the convenience of the depositors. If the Bank would have been unmindful of the convenience of the employees, it would have reintroduced the initial timings as demanded by the depositors. It cannot be disputed that the new timings, i.e. 1.30 P.M. to 8.30 P.M. are more convenient to the employees than double-shift working from 8.30 P.M. to 0.30 P.M. and 5.30 P.M. to 8.30 P.M. Hence, not only the management did not act with a view to harass the employees but it has tried to protect the interests of the employees as far as possible under the circumstances.

15. An unsuccessful attempt was made to show that from the business point of view also, the change was unnecessary and during the time it is operative, it has not proved beneficial to the bank. It was tried to be shown that during the period from 9-8-82 to 1-1-86 when the timing was 10.30 A.M. to 5.30 P.M. there was marked improvement in the business and that after the impugned change was introduced on 1-1-86, the business has gone down. The statement filed by the Bank at Annexure-2 alongwith the affidavit of Shri Bagul Murlidhar does not substantiate this contention. As a matter of fact, there has been marked improvement in the term deposits and current deposits during the period from 1-1-86 to 30-6-1986 and in term deposits and savings deposits during the period of 1-7-86 to 31-12-86. It is true that the volume of business in Savings deposits was proportionately less during the period from 1-1-86 to 30-6-1986 as compared to the earlier six months, but there has been remarkable improvement in the next six months, in the saving deposits. Similarly, though the current deposits have gone down during the period from 1-7-86 to 31-12-86 there was a marked improvement in the current deposits from 1-1-86 to 30-6-1986 as compared to the previous six months. The comparative statement does not support the plea that the business has gone down. It might not have improved substantially, but that does not mean that the change was not justified and was unnecessary. The number of deposits, term as well as savings has gone up appreciably. Moreover, it is too early to judge the effect of the change in timings. The trend certainly shows that the change was justified.

16. The result therefore is that the reference is answered in affirmative and it is held that the Manager, Bank of Maharashtra, Patharli Branch was justified in changing the timings from 10.30 A.M. to 5.30 P.M. on week days and 8.30 A.M. to 12.30 P.M. on Sundays, to 1.30 P.M. to 8.30 P.M. on week days and 10.45 A.M. to 2.30 P.M. on Sundays. The workmen, therefore, are not entitled to any relief whatsoever in respect of the change in timings.

17. Award accordingly.

[No. 1-12011/67/85-D.III(A)]

M. S. JAMDAR, Presiding Officer

का आ 1868 :- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबन्धन में सम्बद्ध नियोक्तों और उनके कर्मचारों के बीच, अन्वय में विनिर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिनियम के प्रवर्तन के तहत का प्रकाशित करता है जो कि केन्द्रीय सरकार को 27-6-87 को प्राप्त हुआ था।

S.O. 1868—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Ahmedabad as shown in the industrial dispute between the employer in relation to the State Bank of India and their workmen, which was received by the Central Government on the 22nd June, 1987.

BEFORE SHRI G. S. PAROT, PRESIDING OFFICER,
CENTRAL INDUSTRIAL TRIBUNAL AT AHMEDABAD
Reference (ITC) No. 8 of 1984

ADJUDICATION BETWEEN

Management of State Bank of India—1st Party

AND

Their Workmen—2nd Party

In the matter of termination of service of Shri H. J. Rathod, Badli Watchman.

APPEARANCES :

Shri G. N. Vahia, Advocate for first party; &
Shri N. R. Mehta, Advocate for second party.

AWARD

The industrial dispute between Management of State Bank of India (Regional Office Ahmedabad) and their workmen has been referred to 10(1)(b) of the Industrial Disputes Act 1947 by Government of India, Ministry of Labour, New Delhi by its Order No. 1-12012/249/83-D.II(A) dt. 9-2-84 for adjudication of the dispute as shown below :

“Whether the action of the management of State Bank of India, Ahmedabad in relation to their Himmatnagar branch in terminating the service of Shri H. J. Rathod, Badli Watchman with effect from 24-11-82 is justified? If not, to what relief is the workman concerned entitled?”

2 Before the reference can be heard and finally decided on merits, Shri N. R. Mehta, learned Advocate for the second party has filed pursuant ex. 13 stating that for the reasons stated therein, they do not want to proceed further in the matter and they withdraw all the claims covered under the reference. Shri Vahia, learned Advocate for the first party has signed in token of having noted the contents. In view of the facts stated above nothing remains to be done in the matter. The demand is allowed to be withdrawn. The reference stands dismissed for want of prosecution. No order as to costs.

Ahmedabad

Dt. 27-3-87.

Sd/-

PRESIDING OFFICER

[No. 1-12012/249/83-D.II(A)]
N. K. VERMA, Desk Officer

मई दिल्ली, 2 जुलाई, 1987

का.आ. 1869—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स वेस्टर्न कोलफील्ड्स लि. की चन्दा रायतवारी कोलियरी, चन्द्रपुर जिला, चन्दा के प्रबन्धन में सम्बद्ध नियोक्तों और उनके कर्मचारों के बीच, अन्वय में विनिर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिनियम के प्रवर्तन के तहत का प्रकाशित करता है, जो केन्द्रीय सरकार को 23-6-87 को प्राप्त हुआ था।

New Delhi, the 2nd July, 1987

S.O. 1869—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chanda Rayatwari Colliery of W.C. Ltd., P.O. Chanda Distt. Chandrapur and their workmen, which was received by the Central Government on the 23rd June, 1987.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. (GIT/IC(R)(65)/1987

PARTIES :

Employers in relation to the management of Chanda Rayatwari Colliery of M/s. Western Coalfields Limited, P.O. Chanda, District Chandrapur and their workman Shri Kawadu Ramchandra Bodhe, General Mazdoor, Post Village residence Bihargaon, Tahsil Rajura Mahikgarh, Distt. Chandrapur (M.S.)

APPEARANCES :

For Union—Shri S. R. Pendre.

For Management—Shri V. V. Mahajan

INDUSTRIAL : Coal Mining DISTRICT : Chandrapur (M.S.)

AWARD

Dated : June 16, 1987

This is a reference made by the Central Government in the Ministry of Labour vide Notification No. L-21012/70(86-D.II(B) dated 8th May, 1987 for adjudication of the following dispute :—

“Whether the action taken by the management of Messrs Western Coalfields Limited, in Sub-Area No. VI, Chanda Rayatwari Colliery, P.O. & District Chandrapur (M.S.) is justified in dismissing the services of the workman Shri Kawadu Ramchandra Bodhe, General Mazdoor w.e.f. 19-1-1986? If not, what relief the workman concerned is entitled to?”

2. In the reference order itself it was directed that the party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference forwarding a copy of the same to the opposite party. But the workman requested telephonically for one month's time to file the same. Thereafter the case was fixed on 3-7-1987 for filing the statement of claim etc. Today i.e. 16-6-1987 both parties appeared and filed a compromise petition along with an application for recording award in terms of the settlement which are as under :—

1. That Shri Kawadu Ramchandra Bodhe will be re-employed in the same post and grade as held by him at the time of dismissal with the basic pay which he was drawing as on the date of dismissal within one month from the date of the award by CGIT in terms of this settlement

2. That the period of absence from the date of dismissal till the date of joining as per this settlement will be treated as *dies-non*

3. That the workman will not be entitled to wages or any other payment whatsoever for the period of idleness from the date of dismissal to the date of re-employment.

4. On re-employment the workman will be kept on probation for a period of one year during which period his performance and conduct will be closely watched. An assurance of good performance and conduct will be furnished by the workman in writing before joining the duties. If performances and/or conduct during the probation period are not found satisfactory, his services will be liable to be terminated. However, if his performance and conduct during the probation period are found satisfactory the management may consider to grant him continuity of service for the limited purpose of payment of gratuity.

5. On re-employment Shri Kavadu Ramchandra Bodhe will be posted at Ballarpur Colliery.

6. This agreement fully and finally resolves the dispute pending before the CGIT and it shall not be treated as precedent for any other case.

The above terms of settlement are duly signed by Shri A. K. Dey, Sub-Area Manager, Chanda Rayatwari Sub-Area and the workman concerned and verified before this Tribunal today.

3. I have perused the above terms of settlement and as of the opinion that the terms are fair, just and reasonable and in the interest of the workman. I therefore, record my award in terms of the settlement and make no order as to cost;

V. S. YADAV, Presiding Officer
[No. L-21012/70/86-D III(B)]

नई दिल्ली, 3 जुलाई, 1987

का. अ. 1870—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, चन्दा रेयातवारी कोलियरी ग्रुप मैनेजमेंट लिमिटेड, सी. एम. डकारपुर और जिला चन्द्रपुर (एम. एस.) के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23/6/87 को प्राप्त हुआ था।

New Delhi, the 3rd July, 1987

S.O. 1870.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chanda Rayatwari Colliery, M/s W.C. Ltd., P.O. & Distt. Chandrapur (M.S.) and their workmen, which was received by the Central Government on the 23rd June, 1987.

BEFORE SHRI V. S. YADAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR (M.P.)

(Case No. CGIT/IC(R)/(50) of 1987)

PARTIES :

Employers in relation to the management of SA-VI Chanda Rayatwari Colliery, M/s Western Coalfields Limited, P.O. & Distt. Chandrapur (MS) and their

workman, Shri Ulhas S/o Asraf Tawade Dumper Driver, Ballarpur Beghar Housing Society, P.O. Ballarpur, Distt. Chandrapur (MS).

APPEARANCE :

For Union—Shri S.R. Bendre,

For Management—Shri V. V. Mahajan.

INDUSTRY : Coal Mining DISTRICT : Chandrapur (MS)

AWARD

Dated : June 16, 1987

This is a reference made by the Central Government in the Ministry of Labour vide Notification No. L-21012/58/86-D. III(B) dated 5th May, 1987 for adjudication of the following dispute:—

"Whether the action taken by the management of M/s Western Coalfields Limited, in Sub-Area No. VI, Chanda Rayatwari Colliery, P. O. & Distt. Chandrapur (MS) is justified in dismissing the services of the workman Shri Ulhas S/o Asraf Tawade, Dumper Driver w.e.f. 19-1-1986? If not, what relief the workman concerned is entitled to?"

In the reference order itself the Ministry has directed that the party raising the dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses with the Tribunal within fifteen days of the receipt of this order of reference and also forward a copy of such statement to each one of the opposite parties involved in this dispute. But on 4-6-1987 a telegraphic request was made by the workman for granting one month's time to file the statement of claim etc. and the case was fixed on 3-7-1987 for the same purpose.

2. On 16-6-1987 both the representatives of the management and the Union appeared and filed a compromise petition along with an application for recording award in terms of the settlement which are as under :—

- That Shri Ulhas Asraf Tawade will be re-employed in the same post and grade as held by him at the time of dismissal with the basic pay which he was drawing as on the date of dismissal within one month from the date of the award by CGIT in terms of this settlement.
- That the period of absence from the date of dismissal till the date of joining as per this agreement will be treated as dies-non.
- That the workman will not be entitled to wages or any other payment whatsoever for the period of idleness from the date of dismissal to the date of re-employment.
- On re-employment the workman will be kept on probation for a period of one year during which period his performance and conduct will be closely watched. An assurance of good performance and conduct will be furnished by the workman in writing before joining the duties. If performance and/or conduct during the probation period are not found satisfactory, his services will be liable to be terminated. However, if his performance and conduct during the probation period are found satisfactory the management may consider to grant him continuity of service for the limited purpose of payment of gratuity.

(e) On re-employment, Shri Ulhas Asraf Tawade will be posted at Sasti Colliery of Ballarpur Sub-Area.

(f) This agreement fully and finally resolves the dispute pending before the CGIT and it shall not be treated as precedent for any other case.

3. I have gone through the above terms of settlement duly signed by Shri Balbir Singh, Personnel Manager, Chandrapur Area and the workman concerned Shri Alhas Asraf Tawade and verified before me by Shri V. V. Mahajan for Management and Shri Pendre for workman. The terms of settlement appears to be fair, just and in the interest of the workman concerned. I, therefore, record my award in terms of the settlement and make no order as to costs.

V. S. YADAV, Presiding Officer

[No. L-21012/58/86-D.III (B)]

V. K. SHARMA, Desk Officer

नई दिल्ली, 2 जुलाई, 1987

का.भा. 1871.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, बनारस कोयला क्षेत्र, मैसर्स भारत कोकिंग कोल लिमिटेड, के प्रबंधकों से सम्बन्धित विवादों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, अनुवाद के पक्षों को प्रभावित करती है, जो केन्द्रीय सरकार को 23 जून, 1987 को प्राप्त हुआ था।

New Delhi, the 3rd July, 1987

S.O. 1871.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad, as shown in the Annexure in the industrial dispute between the employers in relation to the management of Basantimata Colliery of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 23rd June, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Shri I. N. Sinha, Presiding Officer.

Reference No. 52 of 1986

In the matter of industrial dispute under section 10(1)(d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Basantimata Colliery of M/s. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workman—Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers—Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 16th June, 1987

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(186)/85-D.-III(A), dated the 31st January, 1986.

SCHEDULE

"Whether the action of the management of Basantimata Colliery of M/s. Bharat Coking Coal Limited, P.O. Mugma, District Dhanbad in dismissing Shri Sobhan Manjhi, Underground Loader from service from 21-6-1984 is justified? If not to what relief is the concerned workman entitled?"

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In this case both the parties made their appearance and filed their respective written statement. Thereafter several adjournments were granted to the parties for filing their documents. Ultimately when the case was fixed for filing documents on 26-2-87 both the parties appeared before me and filed a memorandum of settlement. I have heard the parties on the said terms of settlement. I find that the terms contained therein are fair proper and beneficial to both the parties. Accordingly I accept the same and pass an Award in terms of the settlement, which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer
Central Govt. Industrial, Tribunal
(No. 2), Dhanbad.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

IN THE MATTER OF REFERENCE NO. 52 OF 1986

PARTIES :—

Employers in relation to the Management of Basantimata Colliery of M/s. Bharat Coking Coal Ltd., (Chanch Victoria Area), P.O. Barrakar, Dist. Burdwan.

AND

Their Workmen

Joint Compromise Petition of the Employers and Workmen.

The abovementioned employers and workmen most respectfully beg to submit jointly as follows :—

- (1) That the employers and the workmen have jointly negotiated the matter referred to the Hon'ble Tribunal for adjudication with a view to arriving at a mutually acceptable and amicable settlement.
- (2) That as a result of the aforesaid mutual negotiations, both the parties have agreed to settle the matter in question as follows :—
 - (a) It is agreed that the workman concerned Sri Sobhan Manjhi shall be reinstated by the Management w.e.f. 1-6-1987 subject to his being found medically fit and his identity being established.
 - (b) It is agreed that the reinstatement of Sri Sobhan Manjhi will be in the post of underground loader in Basantimata Colliery subject to the conditions specified in clause (a) above being fulfilled.
 - (c) It is agreed that for the period between the date of dismissal of Sri Sobhan Manjhi i.e. 20-6-1984 and the date of reinstatement i.e. 1-6-1987, he will not be entitled to any back wages or other benefits, except continuity of service.
 - (d) It is agreed that this is an overall settlement in between the parties and in full and final settlement of all the claims of Sri Sobhan Manjhi, the workman concerned and the sponsoring union, B.C.K.U. arising out of the aforesaid reference.

- (3) That both the parties consider that the above agreement is fair, just and reasonable to both the parties.

In view of the above, both the parties most respectfully pray jointly that the Hon'ble Tribunal may be graciously pleased to accept this joint compromise petition and give an award accordingly and dispose of the above reference.

(D. Mukherjee)

Secretary,

Bihar Colliery Kamgar Union,

For and on behalf of workmen

A. K. MAZUMDAR, General Manager,
Chanch Victoria Area,
Bharat Coking Coal Ltd.,

For and on behalf of employers.

Witnesses:—

1.

2.

Dated 7-5-87

Ral. S. MURTHY, Advocate
For Employers.

I. N. SINHA, Presiding Officer.
[No. L-20012/186/85-D.III(A)]

का.प्रा 172.—औद्योगिक विवाद अधिनियम, 1947 (1947 क 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, धर्मबन्ध कोलियरी, नैरास भारत कोकिंग कोल लिमिटेड के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद के पंचाट को प्रार्थित करती है, जा केन्द्रीय सरकार को 22-6-87 को प्राप्त हुआ था।

S.O. 1872.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Dharmaband Colliery of M/s. Bharat Coking Coal Limited and their workmen, which was received by the Central Government on the 22nd June, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 151 of 1985

In the matter of Industrial Disputes under Section 10(1)(d) of the I. D. Act, 1947

PARTIES: Employers in relation to the management of Dharmaband Colliery of M/s. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen: Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers: Shri R. Joshi, Advocate.

STATE: Bihar. INDUSTRY: Coal.

Dated, Dhanbad, the 12th June, 1987

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No.L-20012 (83)/85-D.III(A), dated, the 1st November, 1985.

SCHEDULE

"Whether the demand of Bihar Colliery Kamgar Union that the workmen listed in the Annexure below should be paid by the management of Dharmaband Colliery of M/s. Bharat Coking Coal Limited daily basic wages at Rs. 15.60 from the date of their promotion on 7-6-78 is justified? If so, to what relief the concerned workmen are entitled?"

1. Sri Sheolakhn Singh
2. Sri Lachman Mahato
3. Sri Raju Mahato
4. Sri Karan Deo Biswakarma
5. Sri Sarughan Pdasad
6. Sri S. R. Dey
7. Sri Md. Ishaque
8. Sri Moti Roy

9. Sri Ayodhya Paswan

10. Sri Abdesb Singh.

11. Sri Surajdeo Misry

12. Sri Hurlal Mia.

The case of the workmen is that the concerned 12 workmen were permanent workmen working in Dharmaband Colliery of M/s. B.C.C.L. since long. Vide Order dt. 7-6-78 all of them along with others were promoted from Cat. IV to Cat. V. The basic wages of the concerned workmen after their promotion in Cat. V was fixed @ Rs. 15.05 per day. Some of the workmen who were promoted along with the concerned workmen by the same office order were posted at Kharkharee and other collieries but their initial basic wage was fixed @ Rs. 15.60 per day. S/Shri Ram Chandra Ram, Ramjanam Singh, Narain Sharma, Radhu Bouri, Mokbul Mia, Md. Sarfuddin, Anand Paswan and Viku Bhuiya were promoted as mechanical fitter along with the concerned workmen by the same office order and were posted at Kharkharee Colliery. The management of Kharkharee Colliery fixed their basic wages @ Rs. 15.60 P. per day after promotion to cat. V. Shri A. C. Jain, B. D. Ghose, Y. Sarak, Ram Balak Misry and D. Dhoba were also promoted by the same office order dt. 7-6-78 as Electrician in Cat. V and were posted at Kharkharee Colliery and their initial basic wages were fixed @ Rs. 15.60 per day. The concerned workman had represented before the management of Dharmaband Colliery several times for fixing their wages at par with other workmen who were promoted along with them and were posted at Kharkharee Colliery but the management did not pay any heed to their request. The management, however, gave them assurance to enquire into the matter from Kharkharee Colliery to consider the demand and thus the matter was delayed by the management by giving false hope to the concerned workmen. Thereafter the union of the workmen raised an industrial dispute before the ALC(C), demanding fixation of basic wages of the concerned workman at Rs. 15.60 per day after the promotion in Cat. V. The union had demanded fixation of Rs. 15.60 as basic daily wages to the concerned workmen from the year 1978 but the management refused to settle the issue amicably although they had admitted that the concerned workmen were discriminated in comparison to the other workmen. During the course of conciliation proceeding the management's representative submitted that the management of Kharkharee Colliery had fixed basic wage of the workman arbitrarily but failed to substantiate the same. The conciliation proceeding ended in failure and thereafter the dispute was referred to this Tribunal for adjudication. The action of the management in not fixing the basic wages of the concerned workmen @Rs. 15.60P. in the year 1978 was illegal, arbitrary, unjustified and against the principles of natural justice. The action of the management in denying equal pay for equal work was illegal and against the decision of the Hon'ble Supreme Court. The action of the management in placing the concerned workmen @Rs. 15.05 basic daily and placing other workmen @Rs. 15.60 basic daily was arbitrary, discriminatory and was victimisation of the concerned workmen for the trade union affiliation with the B.C.K.U. On the above facts it is prayed that the management be directed to pay the concerned workman @Rs. 15.60 per day with effect from 1978 with all consequential benefits and difference of wages.

The case of the management is that the concerned workmen were in Cat. IV before their promotion to Cat. V in the year 1978. The wage structure prevalent in the coal industry at the time of promotion was according to the NCWA-I effective from 1-1-75 to 31-12-78. The basic wage scale of Cat. IV under NCWA-I was Rs. 12.75-0.41-16-85 and basic wage scale of Cat. V was Rs. 14.50. 55-20.00. At the time of promotion from one Cat. to the next higher category, the basic wages drawn by the workmen is relevant. If any workman was getting basic wage in Cat. IV below the minimum of Cat. V, he was entitled to get the minimum basic wage of Cat. V. If his basic wage in Cat. IV was more than the minimum basic wages of Cat. V, his basic wages in Cat. V, was to be adjusted by giving requisite number of increments in Cat. V so that his basic wages after promotion is not less than the basic wages he was drawing in Cat. IV. The basic wages of the concerned workmen before their promotion from Cat. IV

to Cat. V was less than Rs. 14.50 i.e. less than the minimum basic wages in the scale prescribed for Cat. V workmen under NCWA-I and thus the concerned workman were entitled to be fixed @Rs. 14.50 basic per day from the date of their promotion to Cat. V. The demand of the concerned workmen for their fixation @Rs. 15.60 per day from the date of their promotion is without any basis. Their demand for 2 increments on their promotion to Cat. V after fixation of basic in Cat. V, taking into consideration the basic wages drawn in Cat. IV before their promotion, is unreasonable. The management of Kharkharee Colliery was required to fix fit to be rejected and that they are not entitled to any relief. The management of Kharkharee Colliery was required to fix the wages of the workmen on promotion according to the norms of promotion as stated above and if it is not in accordance with the said norms the said fixation cannot be justified. So far as the management of Dharmaband colliery is concerned it followed the appropriate norms in fixing the basic wages of the concerned workman on their promotion to Cat. V and the said norm is being applied to all the coal mines of India irrespective of their different ownership. If the management of Kharkharee Colliery gave two increments in Cat. V on promotion of workman after adjustment of their basic wage in Cat. IV, the management of Kharkharee Colliery committed serious mistake and caused loss to the management of BCCI. The union, therefore cannot demand that the management of all the collieries should commit the same mistake as was done by the management of Kharkharee Colliery. As there was nothing wrong in the case of fixation of wages of the concerned workmen on their promotion to Cat. V, there was no occasion for them to raise any dispute at belated stage. There was no discrimination or victimisation in fixing the wages of the concerned workman on their promotion to Cat. V. The management had never admitted that the case of the concerned workmen was a case of discrimination. There is no reason for the management of Dhanbad Colliery to be prejudiced against the members of B.C.K.U. The rules of equal pay for equal work had never been violated. The concerned workmen were not entitled to be fixed @ basic wages of Rs. 15.60P. in the year 1978 after their promotion to Cat. V.

The point for consideration is whether the concerned workmen are entitled to the daily basic wages @ Rs. 15.60 per day from the date of their promotion to Cat. V from 7-6-78.

The workmen and the management each examined two witnesses in support of their respective cases. The documents produced on behalf of the workmen are marked Ext. W-1 to W-4 and the documents of the management are marked Ext. M-1 to M-4/6.

It is an admitted fact that the concerned workman along with others were promoted from Cat. IV to Cat. V vide Office order dt. 7-6-78. The said office order is Ext. W1 in the case. The claim of the concerned workman is based on the fact that other workmen promoted along with them vide Ext. W-1 from Cat. IV to Cat. V and are transferred to Kharkharee colliery were fixed basic wages @ Rs. 15.60 per day. Admittedly, the basic wages of the concerned workmen were fixed @Rs. 15.05 per day on their promotion from Cat. IV to Cat. V. No paper has been produced to show that the basic wages of the workmen who were promoted from Cat. IV to Cat. V along with the concerned workmen vide Ext. W-1 and were transferred to Kharkharee Colliery were fixed basic wages @ Rs. 15.60P. per day. Thus 2 points arise for consideration. The first is whether the workman who were promoted in Cat. V, along with the concerned workmen and were transferred to Kharkharee Colliery were fixed their basic wages @Rs. 15.60 per day. The second point is whether the fixation of basic wages, if any, of the workman transferred to Kharkharee Colliery @ Rs. 15.60 per day as in accordance with any norms of fixation of basic wages of workman on promotion from Cat. IV to Cat. V.

The workmen have produced one wage slip Ext. W-2 in respect of one Anandi Paswan to show that he was getting basic wages of Rs. 15.60 per day in the month of April, 1979. Anandi Paswan is one of the person who was promoted from Cat. IV to Cat. V along with the concerned workmen and was transferred to Kharkharee Colliery, Sl No. 50 of Ext. W-1 will show that Anandi Paswan Mechanical Fitter after his promotion from Cat. IV to Cat. V was transferred

to Bharkharee Colliery. Ext. W-1 shows that all the workmen promoted vide Ext. W-1 were working in different collieries of Area No. III in the scale of Rs. 12.75—16.85 and were promoted to the next higher Cat. V in the scale of Rs. 14.50-0. 55-20/- per day with effect from 1-6-78. The basic wages in Ext. W-2 as 15.60 per day appears to be overwriting and it is difficult to place reliance on such document unless it is authenticated by some other documents of the management. There is no other document in support of the fact that the workmen transferred to Kharkharee Colliery on being promoted to Cat. V were fixed basic wages @Rs. 15.60P. The workmen have fixed Anandi Paswan in whose name wage sheet Ext. W2 was issued WW-1 has stated that prior to his promotion his basic wage was Rs. 14.50 per day and that after his promotion his basic wage was fixed @ Rs. 15.60 per day. In his cross-examination he has stated that he has not filed the wage slip of the period prior to 1978 and he also has not filed the wage slip which he got immediately after promotion. He does not know if the wages of workmen after promotion is fixed in accordance with the rule of BCCI. He was also not in a position to say if the wage of other workmen were correctly fixed by the management after promotion as per Ext. W-1. The basic wages of workmen before their promotion is the basic on which the basic wages are fixed on promotion. WW-1 has neither produced the wage slip of the period prior to his promotion nor he has filed his wage slip which he first got after promotion to Cat. V. The wage slip Ext. W-2 which has been filed as overwriting and as such reliance cannot be placed on such document.

WW-2 Ayodhya Paswan is one of the concerned workmen. He has stated that he was promoted vide Ext. W-1 in Cat. V. He has stated that prior to his promotion his basic wage was Rs. 14.50 per day and the other concerned workmen who were promoted along with him in Cat. V vide Ext. W-1 were also getting their basic wages @ Rs. 14.50 per day prior to their promotion. He has further stated that after promotion his basic wage was fixed @Rs. 15.05 per day and his demand is that the basic wage of the concerned workmen should be fixed @ Rs. 15.60 per day as has been fixed in case of other persons promoted to Cat. V vide the same promotion order Ext. W-1. Thus it is admitted by one of the concerned workmen WW-2 that his basic wages was Rs. 14.50 per day prior to his promotion and that after his promotion to Cat. V his basic wages was fixed @ Rs. 15.05 per day. According to his evidence the case of the other concerned workmen regard in the fixation of wage is the same. He does not know as to how their basic wages was fixed @ Rs. 15.05 per day and as to how the workmen transferred to Kharkharee Colliery after promotion were fixed basic wages @ Rs. 15.60 per day. He has stated in his cross-examination that the workmen of Kharkharee Colliery were also getting 14.50 per day prior to their promotion. Thus the basic of the claim of the workmen is the fixation of the basic wages of the workmen transferred to Kharkharee Colliery after their promotion to Cat. V. Ext. M-1 dt. 24-7-78 is an office order by which the basic wages of the workmen on promotion vide Ext. W-1 were fixed their basic wages. It shows that the workmen promoted from Cat. IV to Cat. V were fixed @ Rs. 14.50 per day as they were getting Rs. 13.98 per day in Cat. IV at the time of their promotion. As these workmen were getting less than the minimum basic wages of Cat. V they were fixed at the minimum of the scale of Rs. 14.50 of Cat. V on their promotion. Ext. M-3 is another office order dt. 10-7-78. This relates to the fixation of the wages of the workmen of Kharkharee Colliery on their promotion from Cat. IV to Cat. V. This office order will also show that most of the persons whose names are stated in the W.S. of the workmen who were promoted from Cat. IV to Cat. V and transferred to Kharkharee Colliery were fixed @ basic wages of Rs. 14.50 per day as they were getting basic wages of Rs. 13.98 in Cat. IV before their promotion. This includes the name of Anandi Paswan who has been examined as WW-1. It completely belies the statement of WW-1 and his wage slip Ext. W-2. Ext. M-3 shows that Anandi Paswan Mechanical Fitter who was getting Rs. 13.98 as his wages in Cat. IV was fixed @ Rs. 15.50 per day on promotion in Cat. V. This Ext. M-3 is a positive evidence which is against the case of the concerned workmen. The workmen did not file any office order or any reliable document to show that the workmen transferred

to Kharkharee Colliery on promotion to Cat. V were fixed basic wages @ Rs. 15.60 per day. This Ext. M-3 refers to the order dt. 7-6-78 which is the office order Ext. W-1 by which the concerned workmen and the persons included in Ext. M-3 were promoted from Cat. IV to Cat. V. It appears that by subsequent order the wages of the workmen in Ext. M-3 on promotion were fixed from retrospective effect from 1-4-78. There is a reference to the other office order in Ext. M-3 which have not been filed but it appears that it is on the basis of the office order that the basic wages of the workmen in Ext. M-3 were fixed with effect from 1-4-78. The wage sheets Ext. M-2 series are not of much help to show as to what was the basic wages of the workmen prior to their promotion and as to what wages were fixed soon after their promotion.

MW-1 Jagdish Sharma is a formal witness who have proved Ext. M-1 and the wage sheets of Dharmaband Colliery Ext. M-2 to M-2/115. MW-2 Shri Sheo Chandra Prasad is working as P.O's Clerk looking after this case. He has stated that the fixation of the workmen of Dharmaband Colliery were made vide Ext. M-1 and that the fixation in respect of the workmen of Kharkharee Colliery were made vide office order Ext. M-3 dt. 10-7-78. He has stated that in both the collieries the fixation were made in the same way. He has also proved the photo copy of the wage sheets of the workmen of Kharkharee Colliery Ext. M-4 to M-4/6. In his cross-examination he has stated that the pay slip Ext. W-2 is wrong as the same has been overwritten in respect of basic wages. He has denied that the workmen transferred to Kharkharee Colliery on promotion were fixed @ Rs. 15.60 per day.

The real fact remains as to what should be the basic wages which could be fixed to the concerned workmen on their promotion from Cat. IV to Cat. V. Admittedly, the concerned workmen were getting Rs. 14.50 per day in Cat. IV at the time of their promotion. The basic wages of Cat. V was admittedly Rs. 14.50-0.55-20.00 per day vide NCWAI which was applicable at the time of promotion of the concerned workman. As the concerned workmen were already getting Rs. 14.50P. as basic wages per day in Cat. IV, the management rightly fixed their basic wages by giving one increment of 0.55P. after their promotion to Cat. V and thus they were fixed @ Rs. 15.05 per day. The workmen have not shown that the wages of the workmen transferred to Kharkharee colliery on promotion to Cat. V were fixed their basic wages @ Rs. 15.60 per day. Even if the workmen of Kharkharee colliery had been fixed their basic wages @ Rs. 15.60 per day, it has not been shown as to how the said basic wages was fixed. In order to establish the claim, the concerned workmen have to show that the basic wages of Kharkharee Colliery were fixed by the norms of fixation of basic wages on promotion and if the norms were not followed in fixation of the basic wages at Kharkharee Colliery, the workmen cannot expect wrong to be perpetuated by the Tribunal. The Tribunal cannot give relief regarding the fixation of the basic wages in accordance with the norms under which the basic wages have to be fixed on promotion. The basic wages of the concerned workmen @ Rs. 15.05 per day appears to have been fixed by the management of Dharmaband colliery on the basis of the norms. The claim of the concerned workmen that the workmen of Kharkharee Colliery were fixed basic wages @ Rs. 15.60 per day on promotion to Cat. V is neither established nor it has been shown that the said basic wages was fixed at Kharkharee colliery in accordance with the norms after considering the basic wage of the workmen which they were getting at the time of their promotion from Cat. IV to Cat. V. Considering all the facts it appears that the basic wages of the concerned workmen was rightly fixed @ Rs. 15.05P. per day after their promotion from Cat. IV to Cat. V as they were getting the basic wages of Rs. 14.50 per day in Cat. IV at the time of their promotion. I further hold that the concerned workmen have failed to establish that the workmen of Kharkharee were fixed basic wages @ Rs. 15.60 per day after their promotion in Cat. V and that the said wages was fixed in accordance with the norms of fixation of wages on promotion from Cat. IV to Cat. V.

In the result, I hold that the demand of Bihar Colliery Kamgar Union that the concerned workmen should be paid

by the management of Dharmaband colliery of M/s. BCCL daily basic wages @ Rs. 15.60P. from the date of their promotion on 7-6-78 is not justified and consequently they are entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
Central Govt. Industrial Tribunal (No. 2),
Dhanbad.

[No. L-20012/83/85-D.III(A)]

का.प्रा. 1873.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स भारत कोकिंग कोल लिमिटेड, की बीहिव हार्ड कोक ओवन् के प्रबंधन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23 जून, 1987 को प्राप्त हुआ था।

S.O. 1873.—In pursuance of section 17 of the Industrial Putes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Bharat Coking Coal Limited Beehive Hard Coke Ovens at Bhulan Bararee Colliery and their workmen, which was received by the Central Government on the 23rd June, 1987.

BFFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 152 of 1985

In the matter of industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

PARTIES :

Employers in relation to the management of M/s. Bharat Coking Coal Ltd's Beehive Hard Coke Ovens at Bhulanbararee as Colliery and their workmen.

APPEARANCES :

On behalf of the workmen—Shri B. Lal, Advocate and Shri D. K. Verma, Advocate.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 16th June, 1987

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012-(173)/85-D III(A), dated the 13th November, 1985.

SCHEDULE

"Whether the demand of Bararee Coke Plant Workers' Union that Shri Krishna Kumar Dubey who was working as Mazdoor (Loading Sirdar) in Beehive Hard Coke Ovens at Bhulanbararee Colliery and was retrenched from 7-9-1970, should be re-employed by the management of M/s. Bharat Coking Coal Ltd., is justified? If so, to what relief is the workman concerned entitled?"

In this case both the parties made their appearance and led their respective W.S. Thereafter several adjournments were granted to them for filling their documents. Ultimately when the case was fixed on 15-5-87, both the parties appeared before me and filed a Memorandum of settlement. I have gone through the said settlement and heard the parties. I find that the terms of settlement are fair, proper and beneficial to both the parties. I therefore, accept the same and pass an Award in terms of the said settlement which forms part of the Award as Annexure.

I. N. SINHA, Presiding Officer
Central Govt. Industrial Tribunal
(No. 2), Dhanbad.

ANNEXURE

MEMORANDUM OF SETTLEMENT

Management Representatives :

1. Shri B. M. Lall, Dy. C.P.M.
Bhagaband Area.
2. Shri P. Mahraj, Dy. P. M.
Bhagaband Area.

Union Representatives :

1. Shri Ravindra,
Vice President, RCMS
Bhagaband Area,
2. Shri S. S. Pandey, Br. Secty.,
Bararee Coke Plant
Workers Union.

SHORT RECITAL OF THE CASE

RCMS raised an industrial dispute over non-provision of work to Shri K. K. Dubey, Loading Sardar as against provision of work to junior persons who were retrenched along with him. This dispute culminated into Reference No. 152/85 which is pending before Tribunal No. II. However, after lengthy discussions at different levels including Hd. Qr. level, the dispute is resolved as under :

TERMS OF SETTLEMENT

1. Shri K. K. Dubey will given fresh appointment as Miner/Loader provided he is willing to do this job subject to medical fitness and his age is less than 35 years.
2. Shri Dubey will report for duties within 15 days from the date of signing of this settlement.
3. The union, RCMS will certify his photographs and also he will swear an affidavit for his genuineness.
4. No past service shall be counted either for the purposes of gratuity or any other purposes of monetary or non-monetary as the dispute is settled finally and there is no subsisting dispute.
5. The copy of the settlement will be filed before the Presiding Officer, Industrial Tribunal No. II, Dhanbad.

Signature of the parties :

(B. M. Lall)

Dy. C.P.M. Bhagaband Area
(P. Mahraj)

Dy. P. M. Bhagaband Area

(Ravindra)

President, RCMS,
Bhagaband Area

(S. S. Pandey)

Br. Secty., BCP Workers Union

Witness

1. Labour

2. _____

Co : Union concerned

Cc : Presiding Officer, Industrial Tribunal No. II,
Dhanbad.

Cc : Asstt. Labour Commissioner (C), Dhanbad

Cc : Central Labour Commissioner (C), New Delhi

Cc : General Manager (Personnel), PECL, Koyla
Bhawan

Cc : Supdt., Bararee Coke Plant

REF. F-IR : RCMS 87 : Dt : 30th January, 87.

[No. L-20012/173/85-D.III(A)]

P. V. SREEDHARAN, Desk Officer

नई दिल्ली, 6 जुलाई, 1987

का. प्र. 1874.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मुराईदीह प्रोजेक्ट, मैसर्स भारत कोकिंग कोल लिमिटेड के प्रबन्धतंत्र के सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 1, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26 जून, 1987 को प्राप्त हुआ था।

New Delhi, the 6th July, 1987

S.O. 1874.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Muraidih Project of M/s. Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 26th June, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under section 10(1)(d) of
the Industrial Disputes Act, 1947.

Reference No. 63 of 1983.

PARTIES :

Employers in relation to the management of Muraidih
Project of M/s. Bharat Coking Coal Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : Shri B. Joshi, Advocate.

For the Workmen : Shri B. K. Ghose, Member, Executive
Committee, Janta Mazdoor Sangh.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated, the 18th June, 1987

AWARD

The Central Government in the Ministry of Labour has, by Order No. L-20012(134)/83-D.III(A), dated, the 2nd September, 1983, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of Muraidih Project of Messrs Bharat Coking Coal Ltd., in not placing Shri Sahadeo Das, Welder in Excavation Grade-I as per Joint Bipartite Committee for Coal Industrial circular dated 2-2-1981 is justified ? If not, to what relief is the workman entitled ?”

2. The case of the management of M/s. B. C. C. Ltd. is as follows :

Sahadeo Das was recruited in the year 1979 as Welder (Excavation) in accordance with the rules of recruitment. His past experience under different organisations prior to his selection was considered for initial fixation in a proper grade. He accepted the offer and joined the services of M/s. B. C. C. Ltd. He completed three years of experience as Grade ‘D’ Welder (Excavation) in the year 1982, when

the matter of promotion of Grade 'D' Welders to Grade 'C' was taken up for consideration and he was promoted to Grade 'C' on the recommendation of the Departmental Promotion Committee. His promotion from Grade 'C' to Grade 'B' will be considered after completion of requisite number of years of experience as Grade 'C' Welder as per JBCCI's circular which is binding on all the workmen and the unions. The sponsoring union being a party to the NCWA-II, the circular of JBCCI issued under NCWA-II binds the union and its members. The concerned workman applied for the post of Welder (Excavation) Grade 'D' and the Selection Committee selected him for appointment to that post considering his past experience. He accepted the offer and joined the services in Grade 'D' and hence he cannot raise any objection to his initial appointment as Welder Grade 'D'.

3. The case of the concerned workman is that he was recruited by M/s. B.C.C. Ltd. as Welder in July, 1979 placed in Excavation Grade 'D'. The Standardisation Committee of the Joint Bi-Partite Committee for the Coal Industry made certain unanimous recommendations on categorisation and preparation of job descriptions in its meetings held on 5th and 6th November 1980 and 17th January, 1981. Under Item No. 9 of the Annexure 'B' to JBCCI circular No. CSC/JBCCI/IR-94/IMP/1167 dated 2-2-1981 the following criteria has been fixed for a 'Welder' to deserve Grade 'B' scale of wages :

"EP Welder Gr. I : A highly skilled possessing at least eight years experience of all types of welding with gas or electric equipment. He must be capable of undertaking all types of welding jobs, independently and possess adequate knowledge about the types of materials to be welded and use of proper electrodes. He should undertake vertical overload and other intricate welding jobs."

By applying the criteria the concerned workman is entitled to be placed in Excavation Grade 'B' scale of wages with effect from the date of JBCCI recommendations, as he already possessed 17 years experience at the time of appointment, required knowledge and necessary capabilities. The action of the management in not placing the concerned workmen in Grade 'B' scale of wages as Welder Gr. I is not justifiable. He has got inherent right to claim the Grade to which he is eligible according to the considerate recommendations of the Joint Bi-partite Committee for the Coal Industry.

4. In this case the management was represented by Sri B. Joshi, Advocate and the concerned workman was represented by Sri B. K. Ghose, authorised representative and Executive Member of Janta Mazdoor Sangh. At the time of hearing the management examined only one witness, namely, M.K. Singh, Dy. Personnel Manager of M/s B.C.C. Ltd. The workman concerned did not examine any witness nor has he produced any document in support of his claim.

5. Admittedly Sahadeo Das was appointed Welder (Excavation) Grade 'D' in July, 1979. It has been claimed by the management that the concerned workman applied for the post and the Selection Committee selected him for appointment considering his past experience and granted him Grade 'D' and that the concerned workman accepted the offer and joined the services in Grade 'D'. MW-1, M.K. Singh, is at present working as Dy. Personnel Manager of M/s. B.C.C. Ltd. at Govindpur Area and he was posted to Area No. I from September, 1980 to July, 1986 as Senior Personnel Officer. He has further stated that while posted to Area No. I he dealt with the present case under reference. His evidence is that at the time of recruitment of any workman his past experience as worker elsewhere is considered and after considering every aspect of the matter including past experience a worker is recruited on a particular grade. He has testified also that the concerned workman was recruited as Welder (Excavation) in Grade 'D' and that after completion of three years of service he was promoted to Grade 'C' on the basis of recommendations of the Departmental Promotion Committee. There is no evidence on record to indi-

cate that the management deviated from the above practice in the matter of recruitment of the concerned workman.

6. But the workman has taken the position that in terms of unanimous recommendations of Standardisation Committee of the Joint Bi-partite for the Coal Industry on categorisation he is entitled to be placed in Excavation Grade 'B' with effect from the date of recommendations of JBCCI. But no document has been filed before me to prove what recommendations of JBCCI were. However, an extract from the circular purported to have been issued by JBCCI being No. CSC/JBCCI/IR-94/IMP/1167 dated 2-2-1981 has been gleaned by the workman in his written statement. No step has been taken by him to produce the original circular or to get it produced by the management.

7. Even if the extract of the circular is taken to be the true the concerned workman has not led any evidence to prove that he had the requisite qualification in terms of the said circular on the date of recommendations of JBCCI. That being the position I am constrained to state that the concerned workman has failed to establish the fact that he was qualified to be placed in Excavation Grade 'B' in terms of the criteria laid down in JBCCI's circular. It appears from the written statement of the management that the concerned workman has since been promoted to Grade 'C' on the recommendation of the Departmental Promotion Committee. This position gets support from the statement of MW-1, M. K. Singh, Dy. Personnel Manager of M/s B.C.C. Ltd.

8. Considering all the facts and circumstances of the case and evidence on record I became to the inescapable conclusion that the claim of the concerned workman to be placed in Grade 'B' with effect from the date of recommendations of JBCCI is not justified and according to the action of the management of Muraidih Project of M/s Bharat Coking Coal Limited in not placing the concerned workman in Excavation Grade-I as per Joint Bi-partite Committee for Coal Industry circular dated 2-2-1981 is justified. The reference is answered and the award is made accordingly. In the circumstances of the case there will be no order as to cost.

S. K. MITRA, Presiding Officer
[No. L-20012(134)/83-D.II(A)]

नई दिल्ली, 3 जून, 1987

का. घा. 1875—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व कारो खेसल प्रोजेक्ट मैसर्स सेंट्रल कोलफील्ड्स लिमिटेड, डा. बरमो, जिला गिरिडीह के प्रबंधन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, न. 2 धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26-6-87 को प्राप्त हुआ था।

New Delhi, the 3rd June, 1987

S.O. 1875.—In exercise of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Karo Special Project of M/s. Central Coalfields Limited, and their workmen, which was received by the Central Government on the 26th June, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri I. N. Sinha, Presiding Officer.

Reference No. 95 of 1986

In the matter of Industrial dispute under Section 10(1)(d) of the I D Act, 1947

PARTIES :

Employers in relation to the management of Karo Spe-

cial Project of M/s. Central Coalfields Limited, and their workmen.

APPEARANCES:

On behalf of the workmen: Shri J. P. Singh, Advocate

On behalf of the employers: Shri R. S. Murthy, Advocate.

STATE: Bihar,

INDUSTRY: Coal

Dated, Dhanbad, the 18th June, 1987

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(91)/85-D.IV(B), dated, the 30th January, 1986.

SCHEDULE

"Whether the dismissal of Shri Baleshwar Singh, Ex-Munshi of Karo Special Project of M/s. Central Coalfields Limited, P.O. Bermo, District Giridih w.e.f. 10-12-1981 is legal and justified? If not, to what relief is the concerned workman entitled?"

The case of the management is that the Karo Special Project, which is a Coal mine was started by the then N.C.D.C. Ltd. and it now forms part of CCL. The name of the company was changed from N.C.D.C. to CCL with effect from 1-11-75 following the reorganisation of the coal industry. The concerned workman Shri Baleshwar Singh was working as a Munshi in Karo Special Project. A report of misconduct committed by the concerned workman on 8-8-80 was received by the management. He was issued with a chargesheet dt. 12-8-80 by the Project Officer/Agent Karo Special Project. The charges against the concerned workman was that on 8-8-80 at about 10.30 A.M. while he was deputed for duty at Dhori Khas Siding he along with Shri Harihar Bedia a piece rated worker of Dhori Khas Colliery approached Shri H. N. Jha, Welfare Officer/Personnel Officer of Dhori Khas Colliery in his office to accept the voluntary retirement application of Shri Bedia. Shri Jha told him that the age of Harihar Bedia as recorded in the application was less than 45 years and as such the application did not satisfy provision of voluntary retirement scheme and as such it would not be accepted. Thereupon the concerned workman got furious and started abusing Shri Jha in filthy words. When Shri Jha took objection to his disorderly behaviour he fisted four blows on his left cheek causing serious injury to Shri Jha. Thereafter the concerned workman tried to strangulate Shri Jha but he was saved by some staff who came to his rescue. The above act amounted to indulgence in the acts of abusing and assaulting a superior besides the concerned workman indulging in disorderly behaviour. It was also alleged in the chargesheet that immediately after the incident the concerned workman while leaving the office room of Shri Jha took away official papers from Shri Jha's table and threatened to kill him. The concerned workman submitted the explanation dt. 6-11-80 to the chargesheet in which it was stated that on 8-8-80 there had been a hot exchange of words between him and Shri H. N. Jha Welfare Officer and in the heat of the moment the concerned workman could not check himself and uttered some hot words which he should not have done. It was further stated that his action had injured the sentiment of Shri H. N. Jha and that he is ready to beg apology from Shri Jha and assured that such occasion will never be repeated by him in future. On the above explanation he requested to be exonerated from the charges framed against him. The case was submitted to the General Manager B&K Area in which Karo Special Project falls who considered the explanation of the concerned workman to be unsatisfactory and ordered a detailed enquiry into the charges framed against the concerned workman. The General Manager B&K Area appointed Shri B. K. Singh, Dy. P. M. (B and K) as enquiry officer who held the enquiry into the charges. Shri R. N. Singh, Dy. P. M. Dhori area was nominated to function as the management's representative before the enquiry officer. After due notice to the concerned

workman, the enquiry officer started the enquiry. The concerned workman participated in the enquiry. The management examined three witnesses in the presence of the concerned workman and his co-worker Shri G. S. Pandey on 3-4-81 and they also cross-examined the management's witness. Thereafter the concerned workman did not participate in the enquiry inspite of repeated opportunity given to him to participate in the enquiry and as such the enquiry officer had no alternative but to proceed further with the enquiry ex-parte against the concerned workman. The next witness Shri R. R. Singh, Colliery Manager produced by the management before the enquiry officer was examined as MW-4 and thereafter the management's evidence was closed. Thereafter the Enquiry Officer submitted his enquiry report to the General Manager (B and K) under his letter dt. 18-8-81. The Project Officer/Agent, Karo Special Project considered the enquiry report and the enquiry proceeding and agreed with the finding of the enquiry officer. Considering the gravity of misconduct established against the concerned workman the Project Officer/Agent Karo Special Project recommended for the dismissal of the concerned workman. The matter was further considered by the General Manager, B and K who approved the dismissal of the concerned workman. Accordingly the concerned workman was dismissed from service by an Office order issued by the management on 10-12-81 with effect from that date. The action taken by the management is fully justified and the concerned workman is not entitled to any relief.

Shri H. N. Jha drew up an FIR soon after the incident of 8-8-80 addressed to the Officer Incharge, Police Station Bermo and submitted it to the Colliery Manager, Dhori (K) colliery who forwarded the same under his letter dated 8-8-80 to the Officer Incharge, Police Station, Bermo. The management was not a party to the Criminal trial and as such the management is not in a position to comment on the chargesheet submitted by the Police before the S.D.J.M. at Tenughat. The scope and purpose of the criminal trial and the domestic enquiry are entirely different and as such what happened before the Criminal court or the result thereof have nothing to do with the domestic enquiry. On the above plea it was submitted on behalf of the management that the reference be answered in favour of the management.

The case of the workmen is that prior to the chargesheet and the domestic proceeding against the concerned workman an information about the occurrence was lodged at the police station in which the police submitted chargesheet and the concerned workman was tried in the Court of Sub-Divisional Judicial Magistrate, Bermo. The case made out in the Criminal trial was that on 8-8-80 at about 10.30 A.M. the concerned workman Baleshwar Singh along with another worker Harihar Bedia went in the office of the Welfare Officer Shri H. N. Jha and asked him to forward voluntary retirement application of Shri Harihar Bedia. The Welfare Officer expressed his inability whereupon the concerned workman gave four fist blows on his left cheek and also tried to strangulate him. The Welfare Officer was saved by the Staff of the colliery who came to the room of the Welfare Officer. The Welfare Officer went to the Police Station at 4 P.M. on 8-8-80 and lodged information of the occurrence. During the trial of the Criminal case witnesses were examined by the prosecution and one injury report given by the Dr. Prakash Kumar Bisat Senior Medical Officer, Dhori Colliery was also produced and Dr. Bisat was also examined as witness. In the opinion of the doctor the injury was simple in nature caused by hard blunt substance. The doctor did not find any sign of finger mark on the cheek and neck of Shri Jha. The medical evidence was inconsistent with the case as presented in the FIR. The witnesses did not support the case of assault to Shri Jha by the concerned workman and therefore the prosecution case was not accepted and the concerned workman was acquitted. The management has tried to involve the concerned workman wrongfully in an incident which did not actually take place. he chargesheet was false and the evidence of the witnesses before the enquiry officer was not true. The concerned workman did not get a fair opportunity to defend himself at the domestic enquiry and the enquiry officer did not record the evidence of the witnesses truthfully. The enquiry officer had conducted the enquiry under the influence of his superior officer. The report of the enquiry officer was perverse. The management did not properly appre-

evidence and due to previous prejudice wrongfully recorded the order of dismissal of the concerned workman. The concerned workman was an active and influential member of R.C.M.S. The management being annoyed with the union activities of the concerned workman vindictively dismissed him from service. It has been prayed that the concerned workman be reinstated in his original job with effect from the date of his dismissal with all back wages and other emoluments.

Although the workmen had raised an objection about the fairness and propriety of the domestic enquiry held by the enquiry officer, the same was given up when the preliminary point was taken up for consideration. Shri J. P. Singh, learned Advocate appearing on behalf of the workmen submitted on 5-2-87 that he does not now intend to contest the fairness and propriety of the domestic enquiry and that the case may be fixed for hearing on merit. Accordingly an order was passed on 5-2-87 holding that the domestic enquiry held into the charges against the concerned workman was fair, proper and in accordance with the principles of natural justice.

Now the point for consideration is whether the management was justified in dismissing the concerned workman from service with effect from 10-12-81.

As the domestic enquiry held into the charges against the concerned workman has been held to be fair, proper and in accordance with the principles of natural justice, the case has to be heard on merit on the materials which are already in the enquiry proceeding Ext. M-14. The management has produced the entire papers regarding the enquiry proceeding and they have been marked Ext. M-1 to M-20. The workmen have also produced photo copy of the Certified copy of the judgment of Criminal case G.R. Case No. 877/80/TR Case No. 927/83 dated 2-8-83 which has been marked as Ext. W-1.

Ext. M-2 is the chargesheet the facts of which have already been stated while stating the case of the management. Ext. M-2 dated 6-11-80 is the reply of the concerned workman to the chargesheet Ext. M-1. He has stated in his explanation to the chargesheet that on 8-8-80 there had been a hot exchange of words between him and Shri H. N. Jha, Welfare Officer/P.O. He has further stated that in heat of the moment he could not check himself and uttered some hot words which he felt he should not have done. He further states his action certainly has injured the sentiment of Shri H. N. Jha and that he is now ready to beg apology from Shri Jha to give assurance that such occasion will never be repeated in future. It will thus appear from the explanation of the concerned workman that the allegation made in the chargesheet Ext. M-1 is admitted to the effect that on 8-8-80 he had exchanged of hot words with Shri H. N. Jha Welfare Officer and in the heat of the moment he could not check himself and uttered some hot words which he should not have done. Thus a part of the allegation is admitted by the concerned workman and it appears that there had been some incident on 8-8-80 on 10.30 A.M. in the office of Shri H. N. Jha in which the concerned workman had uttered some hot words which he should not have done. He has not accepted to have given four fist blows on the left cheek of Shri Jha but he has not also specifically denied the said allegation made in the chargesheet against him in his explanation to the chargesheet. We have therefore to refer to the actual evidence adduced in the case on behalf of the management.

The management examined MW-1 Shri H. N. Jha, MW-2 Shri P. Prasad and MW-3 Shri Nabin Kumar on 3-4-81 in presence of the concerned workman and Grijja Shankar Pandey co-worker of the concerned workman. All these three witness examined on 3-4-81 were fully cross-examined on behalf of the concerned workman. Only MW-4 Shri R. R. Singh Colliery Manager was examined on 21-5-81 in absence of the concerned workman as the concerned workman did not participate in the enquiry on 21-5-81. It will appear from the enquiry proceeding that the concerned workman and his co-worker were given notices of the date

of enquiry but the concerned workman and his co-worker did not participate in the enquiry on 21-5-81.

MW-1 Shri H. N. Jha has clearly stated that on 8-8-80 he went to his office at about 8.30 A.M. At about 10.30 A.M. the concerned workman came to his office along with Shri Harihar Badia piece rated worker of Dhori (K) Colliery and requested him to accept the application of Shri Badia under voluntary retirement scheme in lieu of the appointment of the son of the concerned workman who happened to be son-in-law of Shri Badia. He has stated that he explained to the concerned workman stating that since the age of Shri Badia was 45 years he was not satisfying the provision of voluntary retirement scheme and as such the application cannot be accepted under the voluntary retirement scheme. He has further stated that Shri Baleswar Singh came close to his office table in a furious mood and fisted four blows on his left side cheek and started strangulating him. He has stated that the concerned workman was abusing Shri Jha in filthy words in the top of his voice and on hearing has shouting Shri N. K. Saxena attached to his office and Shri Parmeshwar Prasad, Administrative Officer rushed to save him in the office room and that Shri Nabin Kumar pacified the concerned workman and Shri Parmeshwar Pd. took the concerned workman out from the office room, of Shri Jha. Shri Jha got himself medically examined and lodged FIR at Bermo P. S. There is nothing in the cross-examination of MW-1 Shri Jha to show that any part of his evidence was false although he was thoroughly cross-examined on behalf of the workman.

It will appear from the evidence of MW-2 Shri P. Prasad that he was working as Administrative Officer Dhori (K) colliery at the relevant time. He has stated that on 8-8-80 he was doing his work when at about 10.30 A.M. he heard shouting from the building of the colliery manager and Labour Officer. He was told by some of the workers that there was a quarrel between the Welfare Officer and one Munshi working in K.S. Project and that the Welfare Officer was assaulted. He has stated that he immediately came out of his office and rushed to the office of the Welfare Officer and saw that the concerned workman was abusing the Welfare Officer Shri H. N. Jha, in very filthy language. He has stated the abuses being hurled by the concerned workman. He has stated that the concerned workman was in a very furious mood and he tried to pacify him and took him out from the office of the Welfare Officer. He had gone to the office of the Welfare Officer alone after the assault and as such he had heard only the abuse being hurled by the concerned workman on the Welfare Officer. When he entered the office room of the Welfare Officer he had found the concerned workman on the other side of the table of Shri Jha. He had also found Shri Nabin Kumar an Assistant who was working with Shri Jha in the room of Shri Jha when he first entered the said room. He had also found one Colliery worker of Dhori, namely, Harihar Badia. It will thus appear that Shri Nabin Kumar was in the room of Shri Jha since before MW-2 Shri Prasad.

Shri Nabin Kumar has been examined as MW-3 in the case. On 8-8-80 at about 10.30 A.M. he was in the accounts section when he heard shouting and rushed to the office and found the concerned workman saying as to why Shri Jha will not accept the voluntary retirement case and that in the meantime other persons also came in the office. He has stated that he along with Shri Prasad took the concerned workman out of the office of the Welfare Officer. It will appear from his evidence also that he came to the office room of Shri Jha after the assault. But the evidence of Shri Jha appears to be somewhat corroborated by the evidence of MW-2 and MW-3. The subsequent utterances of the concerned workman heard by MW-2 and MW-3 support the fact that on refusal to accept the application under the voluntary retirement scheme from the concerned workman there was some quarrel in which the concerned workman abused Shri Jha and was behaving violently when they had entered the room of Shri Jha. There is absolutely no evidence on the record to show that Shri Jha had any animosity with the concerned workman since before the occurrence. The management had produced the injury report granted to Shri Jha regarding the assault on 8-8-80 but the doctor has not

been examined in the enquiry proceeding and as such the injury report granted to Shri H. N. Jha cannot be taken in evidence. But there is no reason as to why Shri H. N. Jha cannot be believed on his evidence that the concerned workman had given four fist blows on his left side cheek. Admittedly, MW-2 and MW-3 had not seen the real assault being inflicted by the concerned workman on Shri Jha but admittedly MW-2 and MW-3 had not seen the real assault being inflicted by the concerned workman on Shri Jha but the cumulative effect of the evidence of MW-1 and the subsequent events which has been revealed in the evidence of MW-2 and MW-3 show that the concerned workman had assaulted Shri Jha.

MW-4 Shri R. R. Singh, Colliery Manager of Dhori Khas Colliery was not present at the time of the occurrence as he had gone to some incline in the morning hours. He has stated that at about 11.15 A.M. on 8-8-80 Shri H. N. Jha, Labour Welfare Officer came to him at the incline and narrated that the concerned workman had assaulted him in his office and threatened to kill him. He had forwarded the FIR of Shri Jha to the Police Station.

Considering the entire evidence discussed above it appears that the management has been able to establish the charge against the concerned workman that he (concerned workman) had assaulted Shri H. N. Jha in his office and had abused him and I hold that the Charge No. 1 of Ext. M-1 has been established against the concerned workman.

So far charge No. 2 is concerned there is no evidence to establish the same and as such I hold that charge No. 2 has not been established against the concerned workman.

The only point raised on behalf of the concerned workman is that as the concerned workman was acquitted in the criminal case he should not have been held guilty in

the domestic enquiry. Ext. W-1 is the photo copy of the Criminal case which shows that the judgment was delivered on 22-8-83. The domestic enquiry against the concerned workman had been completed long before it and the order of dismissal Ext. M-20 was passed against the concerned workman on 10-12-81. The enquiry officer therefore could not have considered the judgement of the criminal case dt. 22-8-83 as the same was not passed when the domestic proceeding concluded and the order of dismissal was passed against the concerned workman. The purpose of the criminal trial and the domestic enquiry are entirely different. In the domestic enquiry the management is concerned with the enforcement of discipline amongst his workers so that the work in the industry may be done smoothly and if necessary to dispense with the services of the workmen if his conduct interferes with the smooth working of the industry. The purpose of criminal trial that the person committing the crime is punished under the law and the said punishment may be imprisonment. The standard of evidence required in establishing the charges in the domestic enquiry and the criminal trial are also different in view of the above I hold that the enquiry officer could not have considered the judgment of the criminal trial and the judgment in the criminal trial in the present case cannot be used to falsify the evidence in the domestic enquiry.

In the result I hold that the dismissal of the concerned workman Shri Baleswar Singh, Ex-Munshi of Karo Special Project of M/s. C.C.L. with effect from 10-12-81 is legal and justified and consequently the concerned workman is entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
[No. L-24012(91)/85-D.IV (B)]

R. K. GUPTA, Desk Officer

